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Thirty-sixth Session, 1931

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GOVERNMENT OF BENGAL.

GOVERNOR OF BENGAL.

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A

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Ali, Maulvi Syed Nausher. [Jessore South (Muhammadan).]
Ali, Mr. Altaf. [Bogra (Muhammadan).]
Armstrong, Mr. W. L. [Presidency and Burdwan (European).]

B

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Baksh, Maulvi Syed Majid. [Jessore North (Muhammadan).]
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Bannerjee, Babu Jitendralal. [Birbhum (Non-Muhammadan).]
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C

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Chaudhuri, Khan Bahadur Maulvi Hafizur Rahman. (Nominated Non-official.)

Chaudhuri, Maulvi Syed Osman Haider. [Tippera North (Muhammadan).]
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Chowdhury, Haji Badi Ahmed. [Chittagong South (Muhammadan).]
Chowdhury, Maulvi Abdul Ghani, B.L. [Dacca West Rural (Muhammadan).]
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Cooper, Mr. C. G. (Indian Jute Mills Association.)

D

Dain, Mr. G. R., C.I.E. (Bengal Chamber of Commerce.)
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Das, Rai Bahadur Kamini Kumar, M.B.E. [Chittagong (Non-Muhammadan).]
Dash, Mr. A. J. (Nominated Official.)
Dutt, Rai Bahadur Dr. Haridhan. [Calcutta Central (Non-Muhammadan).]

E

Easson, Mr. G. A. (Nominated Official.)
Eusufji, Maulvi Nur Rahman Khan. [Mymensingh South-West (Muhammadan).]

F

Faroqui, the Hon'ble Khan Bahadur K. G. M. [Minister.] [Tippera South (Muhammadan).]
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Fazlullah, Maulvi Muhammad. [Noakhali West (Muhammadan).]
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G

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Gurner, Mr. C. W. (Nominated Official.)

H

Hakim, Maulvi Abdul. [Mymensingh Central (Muhammadan).]
Haque, Khan Bahadur Maulvi Azizul. [Nadia (Muhammadan).]
Hashemy, Maulvi Syed Jalaluddin. [Khulna (Muhammadan).]
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Hossain, Maulvi Muhammad. [Bakarganj North (Muhammadan).]
Huq, Khan Sahib Maulvi Bazlul. [Noakhali East (Muhammadan).]
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Hutchings, Mr. R. H. (Nominated Official.)

K

Karim, Maulvi Abdul. [Burdwan Division South (Muhammadan).]
Kasem, Maulvi Abul. [Burdwan Division North (Muhammadan).]
Khan, Khan Sahib Maulvi Muazzam Ali. [Pabna (Muhammadan).]
Khan, Maulvi Tamizuddin. [Faridpur South (Muhammadan).]
*Khan, Mr. Razaur Rahman, B.L. [Dacca East Rural (Muhammadan).]

L

Lal Muhammad, Haji. [Rajshahi South (Muhammadan).]
Law, Mr. Surendra Nath. (Bengal National Chamber of Commerce.)
Luke, Mr. N. R. (Indian Jute Mills Association.)

M

Maguire, Mr. L. T. (Anglo-Indian.)
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Marr, the Hon'ble Mr. A., C.I.E. (Member, Executive Council.)
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Miller, Mr. C. C. (Bengal Chamber of Commerce.)
Mittra, Babu Sarat Chandra. [24-Parganas Rural Central (Non-Muhammadan).]

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N

Nag, Babu Suk Lal. [Khulna (Non-Muhammadan).]
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Nag, Reverend B. A. (Nominated Non-official.)
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O

Ormond, Mr. E. C. [Presidency and Burdwan (European).]

P

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Poddar, Seth Hunuman Prosad. [Calcutta West (Non-Muhammadan).]
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R

Raheem, Mr. A., C.I.E. [Calcutta North (Muhammadan).]
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Rahman, Mr. A. F. [Rangpur West (Muhammadan).]
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Roy, Mr. Sarat Kumar. (Presidency Landholders.)
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Roy Choudhuri, Babu Hem Chandra. [Noakhali (Non-Muhammadan).]

S

Saadatullah, Maulvi Muhammad. [24-Parganas Municipal (Muhammadan).]
Sahana, Babu Satya Kinkar. [Bankura East (Non-Muhammadan).]
Salauddin, Mr. Khwaja. [Dacca City (Muhammadan).]
Samad, Maulvi Abdus. [Murshidabad (Muhammadan).]
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Sarker, Rai Sahib Rebati Mohan. (Nominated Non-official.)
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Singh, Srijut Taj Bahadur. [Murshidabad (Non-Muhammadan).]
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* President of the Bengal Legislative Council.

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T

Thompson, Mr. W. H. (Bengal Chamber of Commerce.)
Travers, Mr. W. L., C.I.E., O.B.E. [Rajshahi (European).]

W

Wordsworth, Mr. W. C. (Bengal Chamber of Commerce.)

THE BENGAL LEGISLATIVE COUNCIL PROCEEDINGS.

(Official Report of the Thirty-sixth Session.)

Volume XXXVI—No. 3.

Proceedings of the Bengal Legislative Council assembled under the provisions of the Government of India Act.

THE COUNCIL met in the Council Chamber in the Council House, Calcutta, on Monday, the 16th March, 1931, at 3 p.m.

Present:

Mr. President (the Hon'ble Raja Sir MANMATHA NATH RAY CHAUDHURI, KT., of Santosh) in the Chair, the four Hon'ble Members of the Executive Council, the three Hon'ble Ministers, and 97 nominated and elected members.

Starred Questions

(to which oral answers were given).

Suggested retrenchment in Government services.

*128. **Babu KISHORI MOHAN CHAUDHURI:** Will the Hon'ble Member in charge of the Appointment Department be pleased to state whether in view of the financial stringency the Government are considering the desirability of taking steps—

(*i*) to have the number of Circle Officers reduced by half;

(*ii*) to have the scale of pay and employment of employees in the several services under Government revised and economised; and

(*iii*) to have the recruitment of officers for the covenanted services stopped for some time?

MEMBER in charge of APPOINTMENT DEPARTMENT (the Hon'ble Mr. W. D. R. Prentice): (*i*) No.

(*ii*) This has been kept in mind, but no conclusions have been formulated.

(*iii*) No.

Maulvi SYED MAJID BAKSH: In reply to answer (*ii*) will the Hon'ble Member be pleased to state how long this has been kept in mind and whether conclusions will be formulated in the present budget year.

The Hon'ble Mr. W. D. R. PRENTICE: Yes, in 1931-32.

Maulvi SYED MAJID BAKSH: Will the Hon'ble Member be pleased to state when these will be given effect to?

The Hon'ble Mr. W. D. R. PRENTICE: I cannot say.

Cases under section 104E of the Bengal Tenancy Act in Chittagong.

***127. Haji BADI AHMED CHOWDHURY:** (*a*) Will the Hon'ble Member in charge of the Revenue Department be pleased to lay on the table a statement showing from 1924-1930—

(*i*) the number of cases under section 104E of the Bengal Tenancy Act, 1885, in the district of Chittagong wherein the question of title and possession have been decided;

(*ii*) how many appeals have been filed against them and with what results?

(*b*) Will the Hon'ble Member be pleased to state in how many appeals of the above description the present Director of Land Records has declared the decision *ultra vires?*

MEMBER in charge of REVENUE DEPARTMENT (the Hon'ble Sir Provash Chunder Mitter): (*a*) (*i*) In 2,520 objections under section 104E, Bengal Tenancy Act, questions of possession or title were gone into and decided.

(*ii*) Only 48 appeals were filed, of which 11 were allowed and the rest disallowed.

(*b*) None.

Vacancies in the ministerial staff of the Bakarganj Collectorate.

*128. **Maulvi MUHAMMAD HOSSAIN:** (*a*) Will the Hon'ble Member in charge of the Revenue Department be pleased to lay on the table a copy of the Government circular for advertising vacancies when appointments of ministerial officers are to be made?

(*b*) Is the Hon'ble Member aware—

(*i*) that the circular referred to in (*a*) is not at all observed in the district of Bakarganj; and

(*ii*) that as a result a great injustice is being done to those who have no relatives in the offices where vacancy occurs?

The Hon'ble Sir PROVASH CHUNDER MITTER: (*a*) The rules at present in force are contained in the Board's Miscellaneous Rules, 1918.

(*b*) (*i*) No.

(*ii*) No.

Government properties lost by the erosion of Noakhali town.

*129. **Babu HEM CHANDRA ROY CHOUDHURI:** Will the Hon'ble Minister in charge of the Public Works Department be pleased to state—

(*i*) what is the approximate value of the Government's properties lost by the erosion of Noakhali town; and

(*ii*) what is the approximate value of the properties now possessed by Government within the area of the Noakhali municipality?

MINISTER in charge of PUBLIC WOKS DEPARTMENT (the Hon'ble Khan Bahadur K. C. M. Faroqui): (*i*) Rs. 1,68,000.

(*ii*) Rs. 6,29,000.

Maulvi SYED MAJID BAKSH: Will the Hon'ble Minister be pleased to state what steps have been taken to recoup the amount of this loss?

The Hon'ble Khan Bahadur K. C. M. FAROQUI: I want notice of this.

River Chandana.

*130. **Maulvi TAMIZUDDIN KHAN:** (a) With reference to the replies given to starred question No. 55 at the meeting of the Bengal Legislative Council held on the 20th February, 1930, and to starred question No. 40 on the 13th August, 1930, will the Hon'ble Member in charge of the Irrigation Department be pleased to state whether any decision has been arrived at with regard to the scheme for the improvement of the river Chandana?

(b) Is the alternative scheme referred to therein still under consideration?

MEMBER in charge of IRRIGATION DEPARTMENT (the Hon'ble Alhadj Sir Abdelkerim Ghuznavi): (a) and (b) The matter has been kept in abeyance on account of financial stringency, and no decision has yet been arrived at with regard to the alternative scheme.

Maulvi SYED MAJID BAKSH: Will the Hon'ble Member be pleased to state how long this financial stringency will last?

The Hon'ble Alhadj Sir ABDELKERIM GHUZNAVI: I am not a financial Prophet.

Maulvi SYED MAJID BAKSH: Will the Hon'ble Member be pleased to state whether it will be this year or in two years?

The Hon'ble Alhadj Sir ABDELKERIM GHUZNAVI: I have nothing to add to my answer.

Orders prohibiting processions and meetings.

*131. **Seth HUNUMAN PROSAD PODDAR:** (a) Has the attention of the Hon'ble Member in charge of the Political Department been drawn to the judgment of the Chief Justice of the Calcutta High Court holding that the orders of the Police Commissioner in banning all processions and meetings for an indefinite period are contrary to law, and acquitting five ladies who were convicted for disobedience of this order?

(b) Will the Hon'ble Member be pleased to state the number of persons convicted for disobedience of this order in Calcutta (figures of men and women to be shown separately)?

(c) Have the Government set free all such prisoners?

(d) If not, what is the number of persons who are still suffering imprisonment for this alleged offence?

(e) Are the Government considering the desirability of releasing them immediately?

(f) If not, will the Hon'ble Member be pleased to state what are the reasons for keeping in prison persons who have been so convicted?

(g) Has the attention of the Hon'ble Member been drawn to a similar situation in Bombay where the High Court has set aside the conviction of Master Nagindas and others and has taken action to set free all those who were convicted under the same section?

(h) If so, do the Government of Bengal propose to follow the example set by Bombay in this matter?

MEMBER in charge of POLITICAL DEPARTMENT (the Hon'ble Mr. W. D. R. Prentice): (a) Government are aware of a judgment delivered by the Chief Justice and the Hon'ble Mr. Justice Mullick on 8th December, 1930, which held that a general order under section 62A of the Calcutta Police Act prohibiting all processions was bad. By that judgment the conviction of six women was set aside.

(b) 159 men, 17 women.

(c) Yes.

(d), (e) and (f) Do not arise.

(g) No.

(h) Does not arise.

River Chandana.

***132. Rai Sahib AKSHOY KUMAR SEN:** (a) Will the Hon'ble Member in charge of the Irrigation Department be pleased to state—

(i) the name or designation of the officer who is in charge of investigating the scheme of dredging the Chandana river in the district of Faridpur,

(ii) the result of investigation, if any, since August, 1930; and

(iii) how many years the said scheme has been pending with the Government?

(b) Has any map been prepared for the scheme?

(c) Are the Government considering the desirability of taking early steps for its completion?

The Hon'ble Alhadj Sir ABDELKERIM GHUZNAVI: (*a*) (*i*) Executive Engineer, Khulna Division.

(*ii*) The investigation was stopped owing to financial stringency and shortage of staff.

(*iii*) Four years.

(*b*) Yes.

(*c*) No steps can be taken until the financial situation improves.

Maulvi SYED MAJID BAKSH: Will the Hon'ble Member be pleased to state when the period of financial stringency in the Irrigation Department will be over?

The Hon'ble Alhadj Sir ABDELKERIM GHUZNAVI: I have already once answered that question.

Registration fees realised in Chittagong Division.

***133. Khan Sahib Maulvi BAZLUL HUQ:** (*a*) Will the Hon'ble Minister in charge of the Education (Registration) Department be pleased to lay on the table a statement showing—

(*i*) how many cases of landlords' transfer fees took place in the years 1929 and 1930, in respect of transfer of occupancy holdings, in the Registration offices in the Chittagong Division; and

(*ii*) what amounts of registration fees were realized in those offices in each of the years 1928, 1929 and 1930?

(*b*) Has there been any decrease in the amount of such fees in the year 1930 in comparison with the amounts realised in the two previous years?

(*c*) If so, what are the reasons for the decrease?

(*d*) Have the Government any information to show that the fall is due mainly to the unpopularity of the provisions of the Bengal Tenancy (Amendment) Act regarding landlord's transfer fee in case of transfer of occupancy holdings?

MINISTER in charge of EDUCATION (REGISTRATION) DEPARTMENT (the Hon'ble Mr. Khwaja Nazimuddin): (*a*) (*i*) and (*ii*) A statement is laid on the table.

(*b*) Yes.

(*c*) The fall in the amount of fees is due to the fall in the number of registrations.

(*d*) No.

Statement referred to in the reply to clause (a) (i) and (ii) of starred question No. 133.

Year.	Number of cases of landlords' transfer fees in respect of transfer of occupancy holdings.	Amount of registration fees realised.
		Rs.
1928	..	4,81,722
1929	6,032	4,56,259
	(from *1st April, 1929).	
1930	16,235	3,23,303

*Figures from 1st January, 1929, to 31st March, 1929, are not available.

Maulvi SYED MAJID BAKSH: Will the Hon'ble Minister be pleased to state, with regard to the amount of landlords' transfer fees, how much refers to the landlords and how much is kept in the hands of Government?

The Hon'ble Mr. KHWAJA NAZIMUDDIN: I want notice.

Officers and clerks on an extension of service in the Judicial Department and Civil and Criminal Courts, Alipore.

***134. Mr. A. F. M. ABDUR RAHMAN:** (*a*) Will the Hon'ble Member in charge of the Judicial Department be pleased to state how many officers and clerks are there in the offices of the—

(*i*) Judicial Department, and

(*ii*) Civil and Criminal courts at Alipore,

who are on an extension of service?

(*b*) Will the Hon'ble Member be pleased to lay on the table a statement showing the designation, age, salary of each of those officers, together with the minimum pay of their grade?

MEMBER in charge of JUDICIAL DEPARTMENT (the Hon'ble Mr. W. D. R. Prentice): (*a*) (*i*) Nil.

(*ii*) Civil courts 5, Criminal courts 2.

(*b*) A statement is laid on the table.

Statement referred to in the answer to clause (b) of starred question No. 134.

(1) CIVIL COURTS, ALIPORE.

Names.	Designation.	Age on 1st March, 1931.	Salary drawing.	Minimum salary of the grade.
			Rs.	Rs.
1. M. Abdul Waseq	Nazir, District Judge's Court.	55 years and 1½ months.	185	175
2. Babu Aswini Kumar Dutt.	Sheristadar, 1st Sub-Judge's Court.	58 years and 10½ months.	128	80
3. Babu Jogesh Chandra Ghosh.	Sheristadar, 1st Munsif's Court, Diamond Harbour.	56 years and 9½ months.	94	80
4. M. Abdul Aziz ..	Clerk, 1st Munsif's Court, Diamond Harbour.	57 years and 5½ months.	77	40
5. Babu Basanta Kumar Purkait.	Clerk, Small Causes Court, Sealdah.	55 years 3 months and 12 days.	80	40

(2) CRIMINAL COURTS, ALIPORE.

Designation.	Age.	Salary.	Grade.	Minimum pay of the grade.	Remarks.
		Rs.	Rs.	Rs.	
1. Judicial Peshkar ..	About 60	140	80—4—140	80	Will retire on 1st July, 1931.
2. Assistant ..	57	68	25—35—40—2—60—2—68—3/2—80.	35	

Assistants on extension of service or have completed 30 years' service in the Local Self-Government Department.

***135. Mr. A. F. M. ABDUR RAHMAN:** (*a*) Will the Hon'ble Minister in charge of the Local Self-Government Department be pleased to state how many officers and clerks are there in the Local Self-Government Department who are on extension of service or have completed 30 years' service?

(*b*) Will the Hon'ble Minister be pleased to lay on the table a statement showing against each his designation, age, monthly pay and allowances together with the minimum pay of his grade?

MINISTER in charge of LOCAL SELF-GOVERNMENT DEPARTMENT (the Hon'ble Mr. Bijoy Prasad Singh Roy): (*a*) and (*b*) A statement is laid on the table.

Statement referred to in the answer to clauses (a) and (b) of starred question No. 135.

ASSISTANT ON EXTENSION OF SERVICE.

Name.	Designation.	Age.	Pay.	Allowance.	Minimum pay of the grade.
			Rs.	Rs.	Rs.
Babu Jogesh Chandra Roy.	Head Assistant, Public Health Branch.	59 years and 4 months.	355	100	150

ASSISTANTS WHO HAVE COMPLETED 30 YEARS' SERVICE.

			Rs.	Rs.	Rs.
Rai Sahib Anukul Chandra Mallik.	Head Assistant, Local-Self Government Branch.	52 years and 6 months.	500	100	425
Babu Atul Chandra Ghosh.	Assistant in the Upper Division, Local Self-Government Branch.	52 years and 5 months.	280	..	150

Leasing of fishery in the Bidyadhari spill area.

***136. Dr. NARESH CHANDRA SEN GUPTA:** (*a*) Will the Hon'ble Member in charge of the Irrigation Department be pleased to state—

(*i*) whether co-operative fishermen's societies were organised for the purpose of taking settlement of the Government fishery in the Bidyadhari spill area;

(*ii*) whether the Superintending Engineer of the Irrigation Department accepted an offer of the co-operative societies to take settlement of the wholesale fishery on an annual rental of Rs. 15,000;

(*iii*) whether an advance deposit was actually put in, at the request of the Superintending Engineer, in the office of the Executive Engineer;

(*iv*) whether subsequently the Superintending Engineer under orders from the Chief Engineer declined to give settlement to the co-operative societies;

(*v*) whether the fishery was actually settled with other persons pending the decision of the Government on the representation of the Registrar on behalf of the co-operative societies?

(*b*) If the answer to (*a*) is in the affirmative, will the Hon'ble Member be pleased to state what compensation has been paid to the co-operative societies or their promoters for breach of the contract to lease the fisheries to them?

(*c*) Have the Government taken any legal advice as to the rights of the co-operative societies in the matter?

(*d*) Will the Hon'ble Member be pleased to lay on the table copies of the correspondence relating to the lease of the fishery to the co-operative societies?

The Hon'ble Alhadj Sir ABDELKERIM GHUZNAVI: (*a*) (*i*) Yes.

(*ii*) No. The Superintending Engineer agreed to settle the fisheries with a central society which the Registrar intended to organise.

(*iii*) Yes.

(*iv*) Yes. He declined to give settlement to any co-operative society.

(*v*) The fishery was settled in the ordinary way under the orders of Government.

(*b*) There was no contract to settle the fisheries with any of the societies referred to.

(*c*) Yes.

(*d*) Copies of the orders of Government, dated the 4th April, 1929, and 20th January, 1930, are laid on the table.

Orders referred to in the reply to clause (d) of starred question No. 136.

No. 1704-I., dated Calcutta, the 4th April, 1929.

From—H. J. TWYNAM, ESQ., I.C.S., Secretary to the Government of Bengal, Irrigation Department,

To—The Chief Engineer, Bengal.

With reference to the correspondence resting with memorandum No. 1663, dated 19th March, 1929, from the Superintending Engineer, Southern Circle, to your address on the subject of the lease of the fisheries in the Bidyadhari spill area to a co-operative society of fishermen, I am directed to say that it is understood that the society is not a representative one in that it does not include many of the fishermen residing in the Salt Lake area. It appears that more than 100 of these fishermen have protested against the proposed settlement of the fisheries with the co-operative society. Further, it is understood that, although the lease of the fisheries has been put up to annual auction, settlement has in practice been made with a few of the resident fishermen who have worked the fisheries in association with other fishermen.

2. The object underlying rule 534 of the Bengal Survey and Settlement Manual, 1917, requiring that preference should ordinarily be given to a co-operative society of fishermen appears therefore to have been practically realised in this case as the lessees have not been middlemen against whom the rule is directed. In the circumstances, the Governor in Council is of opinion that no change is required in the present system of settling the fisheries which should continue. I am to add that if the Co-operative Department want the lease for a society in future, a fully representative society of the resident fishermen should be organised in consultation with the local officers of the Irrigation Department.

II

Copy of a letter from the Irrigation Department No. 82-I., dated 20th January, 1930, to the Registrar, Co-operative Societies, Bengal.

With reference to your letter No. 11232, dated 8th November, 1929, regarding the grant of a lease of fisheries in the Bidyadhari spill area to a co-operative society of fishermen, I am directed to state that rule 534 of the Bengal Survey and Settlement Manual is meant as a guide, but it is not intended that it should be interpreted as a hard and fast rule in all circumstances. The fishermen to whom the current year's lease has been given are Government tenants, who do not appear to be at present included in the co-operative society. Further, it is reported that the existing lessees actually work on a co-operative basis and form the majority of the tenants in the Bidyadhari spill area. In the circumstances Government consider that preference should be given to the Government tenants living in the area in the present case.

Dr. NARESH CHANDRA SEN GUPTA: Will the Hon'ble Member be pleased to state whether he has any objection to placing on the table the rest of the correspondence relating to the settlement of the Government fishery?

The Hon'ble Alhadj Sir ABDELKERIM GHUZNAVI: I am afraid the rest of the correspondence cannot be laid on the table.

Dr. NARESH CHANDRA SEN GUPTA: Will the Hon'ble Member be pleased to state whether it is because the rest of the correspondence refers to the letter of the Registrar of Co-operative Societies to the Superintending Engineer and really amounts to a deed of contract?

The Hon'ble Alhadj Sir ABDELKERIM GHUZNAVI: Certainly not.

Loan to the agriculturists of Khulna.

***137. Maulvi SYED JALALUDDIN HASHEMY:** (*a*) Will the Hon'ble Minister in charge of the Agriculture and Industries Department be pleased to lay on the table a statement showing the quantity of jute produced last year separately in three different subdivisions of the district of Khulna?

(*b*) Will the Hon'ble Minister be pleased to state whether any, and if so, what amount of loan was advanced to the jute-growers in the district of Khulna on account of the abnormal fall in the prices of jute this year?

(*c*) If the answer to (*b*) is in the negative, will the Hon'ble Minister be pleased to state whether the Government are considering the desirability of advancing loan through the co-operative societies to the distressed agriculturists of Khulna?

MINISTER in charge of AGRICULTURE and INDUSTRIES DEPARTMENT (the Hon'ble Khan Bahadur K. G. M. Faroqui): (*a*) The estimated total yield of jute, in bales of 400 lbs., in each of the three subdivisions of Khulna district in 1930 was—

Sadar—23,800 bales.

Bagerhat—30,600 bales.

Satkhira—64,600 bales.

(*b*) No separate figures of the loans granted to jute cultivators are available, but Rs. 2,500 has been granted as loans under the Agriculturists' Loans Act this year, and during the last quarter the Central Co-operative Banks in the district advanced Rs. 72,045 through primary credit societies to members. The recipients of the above loans must have included a large number of jute cultivators.

(*c*) The question does not arise.

Maulvi SYED MAJID BAKSH: Will the Hon'ble Minister be pleased to state whether he considers that Rs. 2,500 is sufficient for the purpose?

The Hon'ble Khan Bahadur K. G. M. FAROQUI: I suppose so, but this is the special concern of the Revenue Department.

Director of Public Instruction.

***138. Mr. SYAMAPROSAD MOOKERJEE:** (*a*) Will the Hon'ble Minister in charge of the Education Department be pleased to state whether the Government have reconsidered the question of giving effect to the resolution passed by this Council urging the abolition of the post of Director of Public Instruction in Bengal?

(*b*) If the answer to (*a*) is in the affirmative, what is their final decision in the matter?

(*c*) If the decision is to retain the post, will it be permanently filled up?

(*d*) Will the Hon'ble Minister be pleased to state whether it is in the contemplation of Government to appoint to the post an officer not belonging to the Education Department of the Government of Bengal?

MINISTER in charge of EDUCATION DEPARTMENT (the Hon'ble Mr. Khwaja Nazimuddin): (*a*) No.

(*b*) Does not arise.

(*c*) It has been filled up permanently.

(*d*) No.

Maulvi SYED MAJID BAKSH: Will the Hon'ble Minister be pleased to state whether the present incumbent will never retire?

The Hon'ble Mr. KHWAJA NAZIMUDDIN: I do not think this requires any answer.

Fruit culture.

***139. Babu SATYENDRA NATH ROY:** Will the Hon'ble Minister in charge of the Agriculture and Industries Department be pleased to state what steps, if any, have been taken by the department to educate people to get a better supply of fruit trees, fruits and also to enable them to get a better market?

The Hon'ble Khan Bahadur K. C. M. FAROQUI: Extensive work on fruit is being done by the Agricultural Department at Kalimpong and throughout Darjeeling district. The extent of this can be judged by the fact that in 1929-30 over 750 fruit trees of various sorts (seedlings, layers, grafts, etc.), excluding seeds, and over 3,000 suckers of pines and strawberries were supplied to the public, while numerous demonstrations on improved methods of fruit culture are annually held all over Darjeeling district by the Superintendent of Agriculture, Kalimpong.

Babu SATYENDRA NATH ROY: Will the Hon'ble Minister be pleased to state why Kalimpong and the Darjeeling district has been chosen for work in connection with fruit culture when Kalimpong particularly is not easily accessible?

The Hon'ble Khan Bahadur K. C. M. FAROQUI: Progress in the plains districts has been hampered for want of funds.

Convict Babu Jnan Chandra Mazumdar of Mymensingh Congress Committee.

*149. **Babu SATISH CHANDRA RAY CHOWDHURY:** (*a*) Will the Hon'ble Member in charge of the Police Department be pleased to state whether it is a fact that in July or August last Babu Jnan Chandra Mazumdar, B.SC., President, Mymensingh Congress Committee, was convicted under section 157, Indian Penal Code, and sentenced to imprisonment?

(*b*) Is it a fact that during Jnan Babu's stay in Mymensingh Jail as a Division I prisoner in September last, his only son fell seriously ill of iliac abscess requiring immediate surgical operation?

(*c*) Is it a fact that application was filed by his wife before the Additional District Magistrate, Mymensingh, Mr. S. C. Ghatak, for permitting Jnan Babu to see his son and consult the doctors about the operation?

(*d*) Is it a fact that the said Mr. Ghatak granted the application permitting Jnan Babu to go to his house in Mymensingh town under proper police escort?

(*e*) Is it a fact that the said Magistrate also wrote to the Superintendent of Police, Mymensingh, to arrange police escort within three days?

(*f*) Is it a fact that the police escort was never supplied and Jnan Babu was not allowed to see his son?

(*g*) If the answer to (*f*) is in the affirmative, will the Hon'ble Member be pleased to state—

(*i*) why the police escort was not supplied to Jnan Babu; and

(*ii*) why he was not allowed to see his son?

MEMBER in charge of POLICE DEPARTMENT (the Hon'ble Mr. W. D. R. Prentice): (*a*) Yes.

(*b*) Babu Jnan Chandra Mazumdar was a Division II prisoner. On the 3rd October, 1930, a telegram was received from his wife to the effect that his son was seriously ill and that an operation was necessary.

(*c*) No. The application was made before the District Magistrate who sent it to the Additional District Magistrate for disposal.

(*d*) No. It was not within his power to do so. The Superintendent of Police was consulted and a reference was made to Government.

(*e*) No. The Superintendent of Police was asked whether an escort could be provided between certain dates.

(*f*) Yes.

(*g*) (*i*) and (*ii*) Arrangements were made for a special interview between the prisoner and his son's medical attendant. This met the requirements of the case, and it was not necessary for the prisoner to leave the jail.

Maulvi SYED MAJID BAKSH: With reference to answer (*d*) will the Hon'ble Member be pleased to state whether it is not a fact that the order was actually issued by the Magistrate?

The Hon'ble Mr. W. D. R. PRENTICE: I am not aware of that.

Serampore Weaving Institute.

*141. **Rai Sahib AKSHOY KUMAR SEN:** (*a*) Will the Hon'ble Minister in charge of the Agriculture and Industries Department be pleased to lay on the table a statement showing—

(*i*) what amount was sanctioned for the maintenance of Serampore Weaving Institute for each of the years 1926 to 1930;

(*ii*) how many female students are at present on the roll of that Institute;

(*iii*) how many of them are getting stipends from Government and at what rate; and

(*iv*) how many of them are getting stipends from local bodies and at what rate?

(*b*) Is it not a fact that the female section of that Institute is for imparting technical training to the poor girls of Bengal?

(*c*) Are the Government considering the desirability of improving the female section of that Institute?

The Hon'ble Khan Bahadur K. G. M. FAROQUI: (*a*) (*i*), (*ii*), (*iii*) and (*iv*) A statement is laid on the table.

(*b*) Yes.

(*c*) Yes, as far as the existing class is concerned. A higher class with a few female students was started some time ago, but as no students applied for admission for three consecutive years the attempt to reopen the class was abandoned.

Statement referred to in the answer to clause (a) of starred question No. 141.

(*i*) Amount sanctioned for the maintenance of Serampore Weaving Institute—

1926-27	..	Rs. 70,428	(includes charges for demonstration parties since transferred to the direct control of the Director) *plus* Rs. 6,396 for the female industrial classes.
1927-28	..	Rs. 77,583	(includes charges for demonstration parties since transferred to the direct control of the Director) *plus* Rs. 9,096 for the female industrial classes.
1928-29	..	Rs. 44,276	(excludes charges for demonstration parties) *plus* Rs. 9,096 for the female industrial classes.
1929-30	..	Rs. 43,986	(excludes charges for demonstration parties) *plus* Rs. 9,096 for the female industrial classes.

(*ii*) Number of female students at present on the roll of that Institute—20.

(*iii*) Number of them getting stipends from Government and the rate thereof—15, at the rate of Rs. 10 each per month.

(*iv*) Number of them getting stipends from local bodies and rate thereof—2 (one at Rs. 8 per month, one at Rs. 6 per month).

Principal, Government School of Art.

*142. **Babu JITENDRALAL BANNERJEE:** (*a*) Will the Hon'ble Minister in charge of the Education Department be pleased to state whether it is a fact that, when the vacancy for the principalship of the Government School of Art was last advertised in the Press, it was laid down as one of the qualifications for intending candidates that they should possess a knowledge of Western painting?

(*b*) If so, will the Hon'ble Minister be pleased to state whether Mr. Mukul Chandra De, the present incumbent of the post, possesses such qualification?

(*c*) If not, why was any exception made in his case?

(*d*) Is it a fact that Mr. Mukul Chandra De possesses special knowledge only of the branches of etching and mural painting?

(*e*) Is it a fact that there is no provision for the teaching of these subjects in the Government School of Art?

(*f*) Will the Hon'ble Minister be pleased to lay on the table a statement showing—

(*i*) the actual teaching work that Mr. Mukul Chandra De now does and has been doing within the last one year in the School of Art;

(*ii*) the amount of—

(*1*) salary, and

(*2*) allowance,

drawn by him?

The Hon'ble Mr. KHWAJA NAZIMUDDIN: (*a*) No.

(*b*) and (*c*) Do not arise.

(*d*) No.

(*e*) Yes. There is no provision at present for the teaching of etching and mural painting in the Government School of Art.

(*f*) (*i*) He takes classes occasionally by batches and gives practical demonstration and lecture on fine arts. He spends on an average 10 to 15 hours in a week on actual teaching.

(*ii*) He at present draws salary of Rs. 850 a month with free quarters and no allowance.

Babu JITENDRALAL BANNERJEE: In reply to (*a*) will the Hon'ble Minister be pleased to state whether any special qualifications were laid down at all as necessary for the Principal of the School of Art?

The Hon'ble Mr. KHWAJA NAZIMUDDIN: I want notice.

Babu JITENDRALAL BANNERJEE: Will the Hon'ble Minister be pleased to state what special knowledge of mural painting and etching does Mr. De possess?

The Hon'ble Mr. KHWAJA NAZIMUDDIN: Mr. De is not an expert in mural painting but possesses a general knowledge of all painting. He has very good qualifications. For the information of the hon'ble member I may state that————

Babu JITENDRALAL BANNERJEE: I asked for special knowledge.

The Hon'ble Mr. KHWAJA NAZIMUDDIN: He is an expert

Babu JITENDRALAL BANNERJEE: I asked for special knowledge.

The Hon'ble Mr. KHWAJA NAZIMUDDIN: A person can be an expert and have special knowledge only in one or two subjects. Mr. De has got a very general knowledge of his work. He is very well qualified. As far as the rest is concerned————

Babu JITENDRALAL BANNERJEE: On a point of order, Sir, I want an answer to a specific question.

Mr. PRESIDENT: I am afraid that is not a point of order; but the Hon'ble Minister may make the position more clear if he so desires.

The Hon'ble Mr. KHWAJA NAZIMUDDIN: Academic qualifications and teaching experience; awarded State Scholarship, 1920; studied painting and etching in Japan, America and England. Diploma South Kensington; 1st Prize Etching and Tempera painting of the Royal College of Art; executed wall decorations for Wembley Exhibition, 1924; taught at Bolpur under Dr. Abanindranath Tagore in 1914 and 1917-18, taught at a school at Hampstead; lectured for London County Council. Immediately prior to his appointment here he was engaged as follows:—

1924—Wembley decorations.

1925—Writing his book on Ajanta Caves.

1926—Private house decorations.

1927—Private exhibitions of his work.

Babu JITENDRALAL BANNERJEE: As regards (*f*) will the Hon'ble Minister be pleased to state whether Mr. De takes classes every day or not?

The Hon'ble Mr. KHWAJA NAZIMUDDIN: He has no definite teaching hours in the time-table and does not systematically arrange for tutorial or lecture work. He takes classes as a whole occasionally, with a view to testing the progress and stimulating the work of the students. As he goes round the school and finds that particular students individually, or in groups, need instruction he gives either small lectures or demonstrations in batches. He occasionally takes batches of the more prominent pupils and gives them advanced instruction.

Babu JITENDRALAL BANNERJEE: Am I to understand that he never gives organised lectures to the classes?

The Hon'ble Mr. KHWAJA NAZIMUDDIN: Hon'ble member is correct in his assumption.

Babu JITENDRALAL BANNERJEE: Then the Hon'ble Minister agrees that there is no provision for teaching the subjects in which the Principal is qualified?

The Hon'ble Mr. KHWAJA NAZIMUDDIN: I do not agree.

Mr. P. N. GUHA: Is the Hon'ble Minister aware that the students do not benefit by this kind of teaching?

The Hon'ble Mr. KHWAJA NAZIMUDDIN: The Governing Body went into the question and made no further recommendation.

Mr. P. N. GUHA: (Inaudible in the Reporters' gallery.)

The Hon'ble Mr. KHWAJA NAZIMUDDIN: Before this there was much laxity in discipline and Mr. De has taken steps to enforce discipline.

Chairman, District Board, Mymensingh.

***143. Maulvi NUR RAHMAN KHAN EUSUFJI:** (*a*) Will the Hon'ble Minister in charge of the Local Self-Government Department be pleased to state—

(*i*) what are the circumstances which led to the resignation of the last-appointed chairman of the district board of Mymensingh of his office of chairmanship of the said board;

(*ii*) whether the said resignation was voluntary or forced upon him by the Government;

(*iii*) what are the reasons for setting up the District Magistrate of Mymensingh as the chairman of the said board instead of appointing some other competent non-official member of the board as its chairman;

(*iv*) why the system of election in the case of filling up the vacancy in the office of the chairman of the Mymensingh district board was not followed when the said office last fell vacant by the resignation of its appointed chairman; and

(*v*) how long the Government intend to follow up this system of appointment in the office of the chairman of the Mymensingh district board?

(*b*) Is the Hon'ble Minister aware that an intense feeling of resentment prevails in the minds of the public of the Mymensingh district, for the withdrawal of the right of election of chairman from its district board?

(*c*) Is the Hon'ble Minister aware that the present official chairman has very little time to spare for the administration of the district board's affairs?

(*d*) Is the Hon'ble Minister aware that the administration of the district board is practically being run by its vice-chairman?

The Hon'ble Mr. BIJOY PRASAD SINGH ROY: (*a*) (*i*) A copy of the chairman's letter of resignation is placed on the table.

(*ii*) Resignation was tendered voluntarily on the suggestion of local officers that the chairman's absence from Mymensingh through ill-health interfered with the duties of his office on the district board.

(*iii*) This appeared to be the most convenient arrangement pending the elections which are to be held this year.

(*iv*) See (*iii*).

(*v*) Government are unable to anticipate orders to be passed in the future under section 29 (*1*) of the Local Self-Government Act.

(*b*) No.

(*c*) No.

(*d*) No.

Letter referred to in the answer to clause (a) of starred question No. 143.

Dated Calcutta, the 16th December, 1930.

From—Lieut. S. M. HOSAIN, Chairman, District Board, Mymensingh,

To—The Secretary to the Government of Bengal, Local Self-Government Department.

(Through the District Magistrate, Mymensingh.)

I have the honour to resign my Chairmanship of the Mymensingh district board to which position I was appointed by Government.

I have been very ill during the last month and a half and I have only just recovered. My health is not yet good and it will not be possible for me to do justice to my work with bad health.

I have the honour therefore to request that my resignation may be accepted and a successor appointed in my place.

Further I may kindly be informed to whom I should make over charge.

Maulvi NUR RAHMAN KHAN EUSUFJI: With respect to answer (r) will the Hon'ble Minister be pleased to state whether he considers as Minister of the Local Self-Government Department, it is correct that this system should be continued?

The Hon'ble Mr. BIJOY PRASAD SINGH ROY: Government has given very careful consideration to the subject before coming to a decision.

Maulvi NUR RAHMAN KHAN EUSUFJI: Does the Hon'ble Minister propose to hold an inquiry and see whether there is not strong resentment in the district of Mymensingh with respect to the election of chairman?

The Hon'ble Mr. BIJOY PRASAD SINGH ROY: Government do not consider it necessary to hold an inquiry.

Maulvi SYED MAJID BAKSH: Will the Hon'ble Minister be pleased to state whether after the elections are over the members of the district board are allowed to elect their own chairman?

The Hon'ble Mr. BIJOY PRASAD SINGH ROY: That question does not arise now.

Water communications in Tangail subdivision.

***144. Maulvi NUR RAHMAN KHAN EUSUFJI:** Will the Hon'ble Member in charge of the Irrigation Department be pleased to state what steps, if any, have been taken by the Government to improve general communications by water in the Tangail subdivision of the Mymensingh district?

The Hon'ble Alhadj Sir ABDELKERIM GHUZNAVI: A sum of Rs. 11,248 has been provided in the Budget Estimate for 1931-32 for the improvement of the Lohajang river in the Tangail subdivision of the Mymensingh district. If the amount is voted by the Council, the work will be taken up next financial year.

Moslem ministerial officers in High Court.

*145. **Khan Sahib Maulvi BAZLUL HUQ:** Will the Hon'ble Member in charge of the Judicial Department be pleased to state—

(*i*) what is the total number of ministerial officers in the offices of the High Court of Calcutta; and

(*ii*) how many of them are Moslems?

The Hon'ble Mr. W. D. R. PRENTICE: (*i*) 350.

(*ii*) 40.

Water-hyacinth in East Bengal.

*146. **Rai Sahib AKSHOY KUMAR SEN:** (*a*) Will the Hon'ble Minister in charge of the Agriculture and Industries Department be pleased to state what steps have been taken by the Government for eradicating the water-hyacinth pest from the districts of Eastern Bengal?

(*b*) Is there any scheme in contemplation of Government for the clearance of water-hyacinth?

(*c*) If so, will the Hon'ble Minister be pleased to state the nature and outline of the scheme?

(*d*) Are the Government considering the desirability of eradicating water-hyacinth from Eastern Bengal districts?

The Hon'ble Khan Bahadur K. G. M. FAROQUI: (*a*) A statement giving the information asked for is laid on the table.

(*b*), (*c*) and (*d*) The member is referred to the answer to part (*a*) of the question.

Statement referred to in the reply to clause (a) of starred question No. 146 giving information as to the steps taken for eradicating the water-hyacinth pest.

The problem of combating water-hyacinth menace has been engaging the attention of Government for a long time. Efforts have been made both by Government and local bodies to devise means of effectively dealing with the pest but without appreciable results. As far back in 1921 a committee with Sir J. C. Bose as president was appointed to inquire into the spread of water-hyacinth in Bengal and to suggest measures for its eradication as a result of a resolution moved in this Council. There was, however, a lack of unanimity in the Committee's report on the important question of the measures to be taken for the

eradication of the pest. Government, as then advised, decided to make an experiment with a spray invented by one Mr. Griffiths who demonstrated it before the committee. Experiments were accordingly carried out with the spray, but it was eventually decided to discontinue the experiment as the spray could not be satisfactorily used on a dense mass or extensive area of water-hyacinth.

In 1925 a special officer was appointed. In his final report the special officer urged legislation. Meanwhile research into the life-history of water-hyacinth was undertaken by Dr. P. Bruhl with the help of Government grants, but this was abandoned. In July, 1927, a conference of non-officials and officials was held at Dacca in which the question of legislation was considered. In August, 1928, a resolution was moved in Council that Government undertake legislation for the eradication of water-hyacinth. The then Hon'ble Minister (Nawab Musharruf Hosain, Khan Bahadur) pointed out the complexity of the problem and fully explained the difficulty of legislation. He concluded by stating ".....so far as legislation by Government is concerned it will be rather difficult for them to do so. If any non-official member will bring forward any legislation in this Council Government will receive it with sympathy and give it due consideration." In 1929 a non-official member gave notice of a Bill which finally lapsed on resignation being tendered by the member.

The Royal Commission on Agriculture in India also recommended that the water-hyacinth problem in Bengal should be dealt with by legislation; but at the same time they considered it open to doubt whether legislation prescribing the destruction of water-hyacinth, or measures to prevent its spread such as the construction of storage pounds or floating fences, would prove more than a palliative. They, therefore, recommended that the formulation of a programme for research on this pest should be one of the first questions to be taken up by the Imperial Council of Agricultural Research. This Government generally agreed that legislation was necessary, but adhered to the opinion that legislation by Government would be a difficult matter in the circumstances prevailing in this province. Government still adhere to this opinion, but they would be prepared to receive with sympathy, and give due consideration to, any Bill which any non-official member may bring forward. Government also await the discovery of an economical method of effectively eradicating the pest as a result of research already initiated at the instance of the Imperial Council of Agricultural Research.

Dr. NARESH CHANDRA SEN GUPTA: May I know when I may expect an answer to a question put long ago in regard to the co-operative societies?

(No answer.)

Short Notice Question.

Terms of agreement between His Excellency the Viceroy and Mahatma Gandhi.

*146A. **Babu JATINDRA NATH BASU:** Will the Hon'ble Member in charge of the Political Department be pleased to state—

(1) What steps have been and are intended to be taken by the Government of Bengal to give effect to the terms of the agreement discussed between His Excellency Lord Irwin and Mahatma Gandhi and approved of by the Government of India and published on the 5th of March, 1931?

(2) What are the Ordinances in force in Bengal which have been withdrawn after 5th of March, 1931?

(3) What steps have been taken to release persons detained under the Bengal Criminal Law Amendment Act?

(4) How many persons convicted in connection with the civil disobedience movement have been released in Bengal?

(5) How many (a) persons detained under the Bengal Criminal Act, and (b) persons convicted in connection with the civil disobedience movement, are still in detention?

(6) Whether it is intended to release the persons referred to in (5)? If so, when?

The Hon'ble Mr. W. D. R. PRENTICE: (1) On the 5th March, before the issue of the statement by the Governor General in Council, the local Government issued a circular to all district officers warning them that in the event of a settlement one of the first steps to take would be the release of all civil disobedience prisoners except those convicted of (a) offences involving violence, and (b) offences involving incitement to violence, and asking them to examine at once the cases of all prisoners convicted in connection with the civil disobedience movement and still suffering imprisonment. Instructions were also given as to pending cases on similar lines. Later on the same day telegraphic orders were received from the Government of India on the same subject, and the statement itself was received on the 6th. On the 6th the Government issued telegraphic instructions to jail superintendents and district officers to start releasing, after the 7th, civil disobedience prisoners to whose release there was no objection, and releases actually commenced from the 8th March. Telegraphic orders were also issued on the 6th March to withdraw pending cases except those that involved violence or incitement to violence. On the next day orders were issued by letter to all District Magistrates forwarding a copy of the statement and ordering that the instructions of the Government of India should be carried out without delay.

On the 7th March also in a *Gazette Extraordinary* all notifications under the Criminal Law Amendment Act, 1908, were withdrawn, and orders were issued on the same date that no further action under these notifications was to be taken and any pending proceedings were to be dropped.

On 10th March, on receipt of a copy of the Government of India's Repealing Ordinance, orders were issued to district officers to relinquish possession of places notified under Ordinance IX.

As regards additional police, orders were issued on 7th March by telegram to report at once whether it was possible to withdraw them, and, if so, when. No collection of tax on this account has been made since the local officers received the orders.

Orders were issued on 6th and 7th March withdrawing cases pending under the Legal Practitioners' Act and for the withdrawal of prohibitory orders for remission of unrealised fines and for return of movable property which has been seized: and for refund of security deposited under the Press Ordinance No. X of 1930.

District officers and the police have been informed of the orders of the Government of India as regards the private manufacture of salt.

(*2*) Ordinances Nos. IX, X and XI.

(*3*) None, as the direct result of the statement which only relates to activities directly concerned with the civil disobedience movement. But, as a matter of ordinary routine, the cases of all detenus are constantly being considered with a view to modifying the orders in force.

(*4*) From reports received up to the 16th March, 1931, 1,661 men and 27 women have been released.

(*5*) and (*6*) (*a*) From reports received up to the 16th March, 1931, there are 409 persons so detained. (*b*) Full reports have not yet been received but approximately 120—130 persons are still under detention.

As regards the release of persons detained under the Bengal Criminal Law Amendment Act, *vide* the answer to (*3*); as regards (*b*), Government are examining all these cases and will release any who come within the terms of the settlement, that is, any who were convicted in connection with the civil disobedience movement for offences which did not involve violence other than technical violence or incitement to such violence.

3-30 p.m.

Babu JITENDRALAL BANNERJEE: Do the prisoners convicted under section 124A come under the category of violent prisoners or non-violent prisoners and are they to be released?

The Hon'ble Mr. W. D. R. PRENTICE: All the cases under section 124A are sanctioned by Government. The records of all these cases are being examined as quickly as possible. As regards the cases connected with the civil disobedience movement, orders have already been issued.

Mr. SHANTI SHEKHARESWAR RAY: Have the district officers been given absolute discretion in regard to the release of prisoners?

The Hon'ble Mr. W. D. R. PRENTICE: If the district officers have any doubt in regard to any cases they may refer them to Government for orders. Otherwise they have full discretion.

Maulvi SYED JALALUDDIN HASHEMY: May I inquire whether Srijut Satish Chandra Chakravarti convicted under section 124A will be released or not?

The Hon'ble Mr. W. D. R. PRENTICE: I am afraid I do not know the case and I must ask for notice of the question.

Maulvi SYED MAJID BAKSH: Is the Hon'ble Member aware that technical violence is also included within the terms of agreement?

The Hon'ble Mr. W. D. R. PRENTICE: Yes.

Maulvi SYED MAJID BAKSH: Are the Government going to release prisoners convicted of technical violence?

The Hon'ble Mr. W. D. R. PRENTICE: Government have already passed orders.

Dr. NARESH CHANDRA SEN GUPTA: Is the Hon'ble Member aware that there has been a delay of so much as 10 days in releasing certain prisoners?

The Hon'ble Mr. W. D. R. PRENTICE: There have been prisoners in 26 districts numbering thousands; and it is a wonder that it has not taken a longer time!

Mr. SHANTI SHEKHARESWAR RAY: Will the Hon'ble Member be pleased to state whether all the prisoners who have been released from the Presidency Jail and the Dum Dum Special Jail have been provided with travelling allowances to go back to their native places?

The Hon'ble Mr. W. D. R. PRENTICE: That was a matter for the jail officers.

Unstarred Questions

(answers to which were laid on the table).

Cultivation of jute.

82. Maulvi ABDUL HAMID SHAH: (*a*) Will the Hon'ble inister in charge of the Agriculture and Industries Department be ased to state the progress of the propaganda already carried out by e Government for restriction of the cultivation of jute?

(*b*) Are the Government considering the desirability of carrying t more propaganda work just before the sowing of jute seeds?

(*c*) If the answer to (*b*) is in the affirmative, will the Hon'ble inister be pleased to state the exact method which is in the contemation of Government?

The Hon'ble Khan Bahadur K. C. M. FAROQUI: (*a*) A leaflet the subject was widely distributed last year through local officers. nother leaflet urging the cultivators not to sow with jute more than per cent. of the area sown with jute in the past season has also sued recently. A leaflet published by the Director of Agriculture, ggesting crops which can be substituted for jute, has also been stributed as widely as possible.

Copies of the leaflets are placed on the Library table for the inforation of members.

(*b*) and (*c*) As the jute sowing season is now commencing it does t seem necessary or possible for Government to adopt any further easures beyond taking steps to ensure that the pamphlets recently sued reach the cultivators in due time. This is being done through e agency of local officers and such non-official organisations as are ailable for the purpose.

Ministerial officers in the Presidency College.

83. Maulvi SYED MAJID BAKSH: (*a*) Will the Hon'ble inister in charge of the Education Department be pleased to lay on e table a statement showing—

(*i*) the present number of ministerial officers in the Presidency College, Calcutta, in the grade in which maximum amount of pay is more than Rs. 100 per month; and

(*ii*) how many of them are Mussalmans?

(*b*) Will the Hon'ble Minister be pleased to state—

(*i*) how many posts of non-teaching assistants are there in the Presidency College, Calcutta;

(*ii*) the scale of pay of the posts; and

(*iii*) how many of them are held by Mussalmans?

(*c*) Will the Hon'ble Minister be pleased to state whether Government circulars fixing the percentage of Moslems in the services under Government are in the usual way forwarded to the Presidency College authorities?

(*d*) Is there any Government order that Moslems are not to be recruited in the higher scale of pay both in non-teaching and ministerial services?

(*e*) Is it a fact that a Mussalman graduate has been appointed in the ministerial staff (College Library) at the rate of Rs. 40 per month?

(*f*) Is it a fact that these appointments and leave of these officers (both non-teaching and ministerial) are sanctioned first by or through the Governing Body of the College and then sent to the Government for approval?

(*g*) Will the Hon'ble Minister be pleased to lay on the table a statement showing for the last four years the number of times Hindu candidates were appointed to officiate when Moslem employees of different classes took leave?

The Hon'ble Mr. KHWAJA NAZIMUDDIN: (*a*) (*i*) 7.

(*ii*) None.

(*b*) (*i*) 9.

(*ii*) 2 in the scale of Rs. 75—5—200 and 7 in the scale of Rs. 50—5—150.

(*iii*) Nil.

(*c*) Yes.

(*d*) No.

(*e*) Yes.

(*f*) The appointment and leave of non-gazetted officers belonging to scales the minimum pay of which does not exceed Rs. 100 per month, rest with the Governing Body, and cases in which the minimum pay exceeds Rs. 100 are disposed of by the Director of Public Instruction on the recommendation of the Governing Body. The approval of Government is not necessary.

(*g*) No Hindu was appointed to officiate when Moslem employees of different classes took leave during the last four years.

Maulvi SYED MAJID BAKSH: With reference to answers (*a*) (*i*) and (*ii*) and (*b*) will the Hon'ble Minister be pleased to state how many of these————(inaudible in the Reporters' gallery).

The Hon'ble Mr. KHWAJA NAZIMUDDIN: As has been pointed out in answer (*f*) posts carrying a minimum salary of Rs. 100 are filled by the Governing Body. Government only look into the question of posts that carry a salary of Rs. 400.

Maulvi SYED MAJID BAKSH: Will the Hon'ble Minister be pleased to state whether it is not within the power of the Hon'ble Minister to look into these appointments?

The Hon'ble Mr. KHWAJA NAZIMUDDIN: Government exercise general supervision over these appointments.

Khan Bahadur Maulvi AZIZUL HAQUE: Will the Hon'ble Minister be pleased to state whether Government control the constitution of the Governing Body?

The Hon'ble Mr. KHWAJA NAZIMUDDIN: Of course the constitution of the Governing Body is controlled by Government.

Khan Bahadur Maulvi AZIZUL HAQUE: Will the Hon'ble Minister be pleased to state whether Government is taking steps to see that there is proper representation on the Governing Body?

The Hon'ble Mr. KHWAJA NAZIMUDDIN: Government will consider this question.

Admission of a child named Halla in the Medical College Hospital.

84. Dr. AMULYA RATAN GHOSE: (*a*) Is the Hon'ble Minister in charge of the Local Self-Government Department aware that a child named Halla, aged about three years, suffering from extensive burns of a serious nature of the lower parts of his body, was sent to the Medical College Hospital at 7-30 p.m., 9th October, 1929, *i.e.*, immediately after the mishap took place, was refused admission into the College Hospital till 9-15 a.m. the following day, and he died thereafter?

(*b*) Is it a fact that with all importunities on the part of the child's guardian, the child was rendered only some help by the doctor of the Observation room and was kept in the waiting room till late next morning?

(*c*) Is it a fact that no nurse nor any physician neither any surgeon ever stepped in to look into the condition of the child, and nothing was done to the child beyond putting up a bandage before no less than 14 hours elapsed?

(*d*) Is it a fact that the doctor then on duty has since scored out the entry in the register sheet and put down remarks of his own therein?

(*e*) Is it a fact that the guardian of the child applied for a chart of the case on the 3rd December, 1929?

(*f*) If the answer to (*e*) is in the affirmative, will the Hon'ble Minister be pleased to state why no chart has yet been furnished to him?

The Hon'ble Mr. BIJOY PRASAD SINGH ROY: (*a*) and (*b*) The child was not refused admission, but was admitted in the Emergency ward owing to shortage of beds and given necessary treatment.

(*c*) The child was properly dressed and attended to so far as conditions in the Emergency room permitted.

(*d*) The history sheet of the case does not contain any alteration. The Admission register contains a note of the transfer of the case from the Emergency room to the Children's ward.

(*e*) Yes.

(*f*) Hospital papers are not sent out outside the hospital.

Tuberculosis amongst school boys.

85. Dr. AMULYA RATAN GHOSE: (*a*) Will the Hon'ble Minister in charge of the Education Department be pleased to state—

(*i*) what steps, if any, have been taken to stop examinees and school children drinking from the same glass;

(*ii*) what steps, if any, have been taken to find out how many boys and girls studying in schools are either suffering from or suspected of having tuberculosis in their system; and

(*iii*) what steps, if any, have been taken to isolate them and arrange for their necessary treatment?

(*b*) Will the Hon'ble Minister be pleased to state whether any other steps regarding the training of school boys in the art of prevention of tuberculosis have been taken except those that were already taken before the questioner moved a token cut motion in the Council on the 26th March, 1930?

The Hon'ble Mr. KHWAJA NAZIMUDDIN: (*a*) (*i*) None. Government consider this may be left to the discretion of school and examination authorities.

(*ii*) The only step taken is the preparation of a scheme for the medical examination of students in Government high schools and senior madrasahs. This scheme awaits the provision of funds.

(*iii*) None.

(*b*) No other steps.

Mr. SHANTI SHEKHARESWAR RAY: With reference to answer (*b*) will the Hon'ble Minister be pleased to state what steps have been taken by the Government in connection with this training?

The Hon'ble Mr. KHWAJA NAZIMUDDIN: I must ask for notice.

Mr. SHANTI SHEKHARESWAR RAY: Will the Hon'ble Minister be pleased to state the amount of funds required for carrying out the scheme mentioned in (*a*) (*ii*)?

The Hon'ble Mr. KHWAJA NAZIMUDDIN: I ask for notice.

Libraries.

86. MUNINDRA DEB RAI MAHASAI: (*a*) Will the Hon'ble Minister in charge of the Education Department be pleased to state whether any instructions are given at the Teachers' Training College or training schools to the teachers for the proper conduct of the school libraries?

(*b*) If the answer to (*a*) is in the affirmative, will the Hon'ble Minister be pleased to state what is the nature of the course of instruction?

(*c*) If no courses of instruction are prescribed, are the Government considering the desirability of making suitable arrangements for holding classes on library science at these institutions?

The Hon'ble Mr. KHWAJA NAZIMUDDIN: (*a*) No.

(*b*) Does not arise.

(*c*) Training colleges and schools are intended to train teachers only, not professional librarians. Government do not consider that any

instruction in library science beyond what is given by way of general instruction in the use of the school library is possible under the existing curricula.

MUNINDRA DEB RAI MAHASAI: With reference to answer (c) will the Hon'ble Minister be pleased to state whether there is any special rule prescribed for the management of school library within the curriculum and will Government consider the question of this training?

The Hon'ble Mr. KHWAJA NAZIMUDDIN: It will be considered.

Contested suits in Civil Courts at Barisal.

87. Maulvi MUHAMMAD HOSSAIN: Will the Hon'ble Member in charge of Judicial Department be pleased to lay on the table a statement showing the number of contested suits disposed of in the different munsif courts at Barisal in the years 1929 and 1930, separately?

The Hon'ble Mr. W. D. R. PRENTICE: A statement is laid on the table.

Statement referred to in the reply to unstarred question No. 87, showing the number of suits decided after contest by the different munsifs at Barisal during the years 1929 and 1930.

Name of Court.	Number of suits decided after contest in—	
	1929.	1930.
Munsif, 1st Court, Sadar	101*	56*
Munsif, 2nd Court	88†	119†
Munsif, 3rd Court	360	335
Munsif, 4th Court	262	396
Munsif, 5th Court	474	316
Munsif, 6th Court	414	384
Munsif, 7th Court	265	270
Total ..	1,964	1,876

*The munsif also presided over the Central Court where *ex parte* suits were dealt with.
†The munsif deals with suits valued above Rs. 1,000 up to Rs. 2,000.

Hindus and Muhammadans in the Inspecting staff of the Education Department.

88. Seth HUNUMAN PROSAD PODDAR: Will the Hon'ble Minister in charge of the Education Department be pleased to lay on the table a statement showing for each division of this Presidency—

(*i*) the present number of Inspectors and Assistant Inspectors of Schools—

(*1*) Hindu,

(*2*) Muhammadan;

(*ii*) the present number of District Inspectors and Sub-Inspectors of Schools—

(*1*) Hindu,

(*2*) Muhammadan; and

(*iii*) the present number of the inspecting staff exclusively for supervision of Muhammadan education, namely, of such institutions as maktabs, madrasahs, etc. (the number of Hindu and Muhammadan officers to be shown separately)?

The Hon'ble Mr. KHWAJA NAZIMUDDIN: A statement is laid on the table.

Statement referred to in the answer to unstarred question No. 88.

(*i*)

	Inspectors of Schools.		Second or Additional Inspectors of Schools.		Assistant Inspectors of Schools for Muhammadan Education.	
	Hindu.	Muhammadan.	Hindu.	Muhammadan.	Hindu.	Muhammadan.
Presidency Division	1	Nil	1	1	Nil	1
Burdwan Division	1	Nil	Nil	2	Nil	1
Dacca Division	..	1	1	1	Nil	1
Rajshahi Division	..	1	Nil	1	Nil	1
Chittagong Division	..	1	1	Nil	Nil	1
Total	2	3	3	5	Nil	5

(ii)

	District Inspectors of Schools.		Sub-Inspectors of Schools.	
	Hindu.	Muhammadan.	Hindu.	Muhammadan.
Presidency Division	5	1	26	14
Burdwan Division	5	1	39	11
Dacca Division	2	2	29	37
Rajshahi Division	5	3	18	26
Chittagong Division	2	2	12 (including 3 Buddhists)	28
Total	19	9	124	118

(iii)

FOR MUHAMMADAN EDUCATION.

	Assistant Inspectors of Schools for Muhammadan Education.		Special Sub-Inspectors of Schools.		Assistant Sub-Inspectors of Schools.		Inspecting Maulvis.	
	Hindu.	Muhammadan.	Hindu.	Muhammadan.	Hindu.	Muhammadan.	Hindu.	Muhammadan.
Presidency Division ..	Nil	1	Nil	2	Nil	2	Nil	5
Burdwan Division ..	Nil	1	Nil	3	Nil	Nil	Nil	1
Dacca Division ..	Nil	1	Nil	3	Nil	Nil	Nil	Nil
Rajshahi Division ..	Nil	1	Nil	2	Nil	Nil	Nil	Nil
Chittagong Division ..	Nil	1	Nil	3	Nil	Nil	Nil	Nil
Total ..	Nil	5	Nil	13	Nil	2	Nil	6

Question of grant to the [illegible] classes schools under the management of the Hindu Relief Society.

89. Seth HUNUMAN PROSAD PODDAR: (*a*) Will the Hon'ble Minister in charge of the Education Department be pleased to lay on the table copies of correspondence that have passed between the Secretary, Hindu Relief Society, and the Education Department, regarding Government grant to the depressed classes schools under the management of the Society?

(*b*) Is it a fact that the Society is conducting fifteen free primary schools in Calcutta for the benefit of the boys of the depressed classes in the *bustee* area of the city for the last four years?

(*c*) Is it a fact that the Society has been in correspondence with the Government for the last three years for grants to the schools?

(*d*) Is it a fact that the Government Inspectors of Schools have visited the schools several times and have expressed themselves as being thoroughly satisfied with the management of the schools?

(*e*) Is it a fact that the conditions precedent to the sanctioning of grant as proposed by the Education Department were accepted by the Society last year?

(*f*) Are the Government considering the desirability of fulfilling the promise made last year of providing for the grant in the budget of the forthcoming year?

The Hon'ble Mr. KHWAJA NAZIMUDDIN: (*a*) No: permission to publish has not been given by the Society and it is not considered necessary to ask for such permission.

(*b*) The number varied from 13 to 15 during the past four years.

(*c*) Yes.

(*d*) Two schools have been inspected and were found fairly well managed.

(*e*) Yes.

(*f*) No promise was made. The Society was informed that if and when funds could be found, a grant would only be possible on certain conditions. The Society was subsequently informed that it was unlikely that funds would be available in next year's budget.

Ministerial officers of the old Subordinate Educational Service.

90. Rai Bahadur KESHAB CHANDRA BANERJI: (*a*) Will the Hon'ble Minister in charge of the Education Department be pleased to lay on the table a comparative statement showing—

(*i*) the names, position and salaries of the ministerial officers in classes IV and V of the Subordinate Educational Service prior to the reorganisation;

(*ii*) the salaries they received in accordance with the Government resolution No. 119Edn., dated the 13th January, 1923; and

(*iii*) the position they now hold and the salaries they now receive?

(*b*) Will the Hon'ble Minister be pleased to state why measures have not yet been adopted to redress the grievances of those ministerial officers of the old Subordinate Educational Service who have been adversely affected by the reorganisation sanctioned in 1921?

The Hon'ble Mr. KHWAJA NAZIMUDDIN: (*a*) (*i*) to (*ii*) A statement is laid on the table.

(*b*) Government are not aware of any grievance.

Statement referred to in the answer to clause (a) of unstarred question No. 90.

Name.	Prior to the reorganisation which took effect from 1st September, 1921.			The salaries received on 1st September, 1921, in terms of Government resolution No. 119 Edn., dated the 13th January, 1923.	Post held at present.	Position held in the present scale of pay.	Present salary.
	Posting.	Salary.	Position.				
Class IV.		Rs.					Rs.
1. Babu Atul Krishna Chatterji ..	Accountant, Presidency College	125	18	Rs. 170 in the scale of Rs. 125—5—175.	Accountant, Presidency College.	1	175
2. Maulvi Abul Makarem Fazlal Wahhab.	Librarian, Calcutta Madrasah ..	125	40	Rs. 150 in the scale of Rs. 125—5—150.	Librarian, Calcutta Madrasah.	1	150
3. Rai Sahib Pulin Behari Basu ..	Head clerk, Office of the Inspector of Schools, Burdwan Division.	125	42	Rs. 175 in the scale of Rs. 125—10—225.	Head clerk, Office of the Inspector of Schools, Presidency Division.	3	225
4. Babu Kirtiman Pradhan* ..	Head clerk, Victoria Boys' School	125	46	....	....	..	..
5. Babu Kula Bandhu Chakravarti	Head clerk, Office of the Inspector of Schools, Dacca Division.	125	107	Rs. 175 in the scale of Rs. 125—10—225.	Head clerk, Office of the Inspector of Schools, Dacca Division.	2	225
Class V.							
1. Maulvi Fazlur Rahman ..	Head draftsman, Bengal Engineering College.	100	7	Rs. 115 in the scale of Rs. 50—5—165.	Head draftsman, Bengal Engineering College.	1	125
2. Babu Arun Chandra Roy ..	Superintendent, Office of the Inspectress of Schools, Dacca Circle.	100	9	Rs. 120 in the scale of Rs. 80—4—120.	Head clerk, Office of the Inspectress of Schools, Dacca Circle.	1	120 plus personal pay of Rs. 10 per mensem
3. Babu Gokul Nath Dhar† ..	Librarian, Presidency College ..	100	16	Rs. 140 in the scale of Rs. 125—5—150.	Librarian, Presidency College.	1	200
4. Babu Dhirendra Nath Mukherjee (II).	Shorthand typist, Presidency College.	100	25	Rs. 140 in the scale of Rs. 80—5—175.	Shorthand typist, Presidency College.	1	175
5. Babu Narendranath Sen (I)‡ ..	Clerk, Office of the Inspector of Schools, Burdwan Division.	100	41	....	....	..	..
6. Babu Sarat Chandra Chakravarti§	Head clerk, Krishnagar College	100	44	Rs. 140 in the scale of Rs. 100—5—150.	....	..	..
7. Babu Joy Narain Prodhan ‖ ..	Clerk, Dow Hill Girls' School ..	100	75	....	....	..	..
8. Babu Priyanath Sarkar¶ ..	Clerk, Office of the Additional Inspector of Schools, Burdwan Division.	100	92	Rs. 120 in the scale of Rs. 90—5—120.	....	..	..
9. Babu Sarat Chandra Mukherji ..	Head clerk, Office of the Inspector of European Schools, Bengal.	100	127	Rs. 145 in the scale of Rs. 125—10—225.	Head clerk, Office of the Inspector of European Schools, Bengal.	4	225
10. Babu Sarat Chandra Sen§ ..	Head clerk, Bengal Library ..	100	165	Rs. 140 in the scale of Rs. 125—5—175.	....	..	..

* Retired. Received on 1st September, 1921, a salary of Rs. 150 in the scale of Rs. 100—5—200 on the reorganisation of the school.
† Post subsequently raised to Rs. 125—200.
‡ Was officiating as Laboratory assistant, Presidency College, at the time. Was subsequently confirmed in the post in the scale of Rs. 75—5—200.
§ Retired.
‖ Retired as head clerk, Dow Hill School. Received on 1st September, 1921, a salary of Rs. 165 in the scale of Rs. 100—5—200 on the reorganisation of the school.

Guru-training Schools.

91. Seth HUNUMAN PROSAD PODDAR: Will the Hon'ble Minister in charge of the Education Department be pleased to lay on the table a statement showing—

(*i*) the present number and location of the guru-training schools in each of the five divisions of the province;

(*ii*) the number of teachers that have passed out of them in each year from 1926 up to 1930 (the number of Hindu and Muhammadan teachers to be shown separately);

(*iii*) the amount of money spent for the maintenance of the schools during the said period; and

(*iv*) the amount of money paid to the teachers as stipends during their period of training in the aforesaid period?

The Hon'ble Mr. KHWAJA NAZIMUDDIN: (*i*), (*ii*), (*iii*) and (*iv*) A statement is laid on the table.

Statement referred to in the answer to unstarred question No. 91.

(*i*)

PRESENT NUMBER AND LOCATION OF GURU-TRAINING SCHOOLS.

Presidency Division: Total number of schools—32.

24-Parganas—
1. Banspole (Moallim).
2. Basirhat.
3. Barasat.
4. Diamond Harbour.
5. Iswarigacha.
6. Jadavpore.
7. Joynagar.
8. Kulpi.

Nadia—
1. Krishnagar.
2. Debagram.
3. Kamalapur.
4. Krishnaganj.
5. Palasipara.
6. Ramnagar.

Murshidabad—
1. Berhampore.
2. Kandi.
3. Protapganj.
4. Malihati.
5. Manigram.

Khulna—
1. Khulna.
2. Bagerhat (Moallim).
3. Daulatpur.
4. Kalaroa.
5. Raipara.

Jessore—
1. Jessore.
2. Ghatboar.
3. Magura.
4. Mahanpur.
5. Nilganj
6. Nawapara (Moallim).
7. Rupganj.
8. Umedpur.

Burdwan Division: Total number of schools—23.

Burdwan—

1. Burdwan.
2. Kalna.
3. Katwa.
4. Mithani.

Birbhum—

1. Suri.
2. Bolpur.
3. Nalhati.

Bankura—

1. Bankura Central.
2. Vishnupur.
3. Sonamukhi.
4. Sarenga (aided).

Midnapore—

1. Midnapore Central.
2. Bhubaneswarpur.
3. Nimtala.
4. Garbbetah.
5. Gorodoro.
6. Amarshi.
7. Bhimpur (Government aided).

Hooghly—

1. Hooghly (Moallim).
2. Nalikul.
3. Ilsoba.
4. Goghat.

Howrah—

1. Amtala.

Dacca Division: Total number of schools—13.

Dacca—

1. Dacca.
2. Raipura.
3. Munshiganj.
4. Manikganj.

Mymensingh—

1. Mymensingh.
2. Kishoreganj.
3. Jamalpur.
4. Tangail.

Faridpur—

1. Faridpur.
2. Madaripur.

Bakarganj—

1. Sagardi.
2. Patuakhali.
3. Medua.

Chittagong Division: Total number of schools—5.

Tippera—

1. Comilla.
2. Aliganj.

Noakhali—

1. Noakhali.
2. Feni (Moallim).

Chittagong—

1. Chittagong.

Rajshahi Division: Total number of schools—13.

Rajshahi—
1. Boalia.
2. Naogaon.
3. Natore (Moallim).

Dinajpur—
1. Dinajpur.
2. Thakurgaon.

Jalpaiguri—
1. Jalpaiguri.

Rangpur—
1. Kurigram.

Rangpur—
2. Nilphamari.
3. Gaibandha.

Bogra—
1. Bogra.

Pabna—
1. Pabna.

Malda—
1. Malda.

Darjeeling—
1. Kalimpong (aided).

(ii)

NUMBER OF TEACHERS PASSED OUT.

Year.	Hindus.	Muhammadans.
Presidency Division.		
1926	84	50
1927	71	56
1928	76	58
1929	122	86
1930—Result not yet out.		
Burdwan Division.		
1926	267	39
1927	270	47
1928	243	54
1929	306	56
1930—Result not yet out.		
Dacca Division.		
1926	91	233
1927	95	230
1928	82	198
1929	82	237
1930	98	211
Chittagong Division.		
1926	36	83
1927	29	82
1928	51	103
1929	58	114
1930	46	127
Rajshahi Division.		
1926	63	113
1927	72	152
1928	88	186
1929	110	228
1930—Result not yet out.		

N.B.—In the Rajshahi Division Indian Christians passing from the Kalimpong Aided Training School have been shown under the heading Hindus. (Separate figures are not available.)

(iii)

COST OF MAINTENANCE.

1926-27—Rs. 3,52,106.	1928-29—Rs. 3,86,647.
1927-28—Rs. 3,75,723.	1929-30—Rs. 4,13,779.

(iv)

EXPENDITURE IN STIPENDS.

1926-27—Rs. 1,69,106.	1928-29—Rs. 1,95,247.
1927-28—Rs. 1,83,820.	1929-30—Rs. 2,08,450.

Clerks of the Bengal Tanning Institute.

92. **Mr. SARAT KUMAR ROY:** (a) Will the Hon'ble Minister in charge of the Agriculture and Industries Department be pleased to lay on the table a statement showing the present number of clerks, with their pay, of the Bengal Tanning Institute?

(b) Is it a fact that they have been working on a temporary basis since their appointment?

(c) Is it a fact that the Government have decided to place them on a permanent footing? If so, when?

(d) Are there any difficulties in making them permanent immediately?

(e) If so, what are they?

(f) Are the Government considering the desirability of removing the difficulties with effect from the next financial year?

The Hon'ble Khan Bahadur K. G. M. FAROQUI: (a) Four, viz.—

Head clerk—Rs. 80—5—120 per mensem.

Cashier—Rs. 40—45—5/2—100 per mensem.

Two clerks—Rs. 40—45—5/2—100 per mensem.

(b) Yes.

(c) Yes, as soon as funds are available.

(d) Yes.

(e) Present financial stringency.

(f) Not possible.

Places in Rangpur where certificate cases of the Kasimbazar Raj Wards estate are filed.

83. Kazi EMDADUL HOQUE: (a) Will the Hon'ble Member in charge of the Revenue Department be pleased to state whether it is a fact that in all districts except Rangpur, certificate cases are filed and dealt with in the district or subdivisional headquarters according as the wards estate manager's or the requiring officer's headquarters are situated at the sadar or subdivision?

(b) Is it a fact that this system is in practice in the districts of Nadia, Midnapore, Burdwan and Tippera?

(c) Is the Hon'ble Member aware that the headquarters of the two superintendents, who are the requiring officers of the Kasimbazar Raj Wards estate, are situated at Kurigram and Ulipur within the jurisdiction of Kurigram subdivision and the lands comprised in the Baharband pargana are situated within the jurisdiction of Kurigram and Gaibandha subdivisions?

(d) Is it a fact that the certificate cases filed by the said requiring officers are dealt with at the Rangpur sadar, instead of the subdivisional headquarters of Kurigram and Gaibandha within the local limits of jurisdiction in which the lands (to which the certificate dues relate) are situated?

(e) If so, what steps, if any, have the Government taken or do the Government contemplate taking to remove the grievances of the tenants of Baharband pargana of the Kasimbasar Raj Wards estate?

The Hon'ble Sir PROVASH CHUNDER MITTER: (a) No.

(b) There is no such uniform system. A statement is laid on the table.

(c) and (d) Yes.

(e) No steps are considered necessary as the matter has been inquired into by the Hon'ble Member of the Board of Revenue who found that there was no real grievance.

Statement referred to in the answer to clause (b) of unstarred question No. 93.

District.	Situation of the Wards Estates Managers or Requiring Officers' headquarters.	Place where the certificates are filed.
Burdwan ..	Burdwan ..	Sadar.
	In Asansol subdivision ..	In the subdivisions in which the properties are situated.
Midnapore ..	Midnapore ..	Ditto.
	Contai ..	Ditto.
	Mahisadal in Tamluk ..	Ditto.
Nadia ..	Krishnagar ..	Sadar.
Tippera ..	Comilla ..	Ditto.
	Ramchandrapur ..	Ditto.
	Joydebpur Dacca (Bhawal estate).	Chandpur.
	Dacca (Dhankora estate).	Sadar.

NON-OFFICIAL BUSINESS.

Special Motions under rule 24A of the Bengal Legislative Council Rules regarding the Delhi agreement.

Babu JITENDRALAL BANNERJEE: May I make a submission on a point of order, Sir? My amendment has been rejected by you and I am not going to question your ruling. It is our duty to acquiesce in your ruling. But may I make a submission on the question in order to have further enlightenment of the point?

Mr. PRESIDENT: You had better make out your point.

Babu JITENDRALAL BANNERJEE: Regarding the amendment of which I gave notice, you have rejected that amendment as being out of order on the ground that it does not come within the scope of the main motion. I think your contention was that the question was one of merely congratulating or not congratulating the Government and that being so, we cannot discuss the terms of agreement under cover of an amendment. So far as my amendment is concerned, I do not propose to discuss the terms of the agreement at all. My amendment refers to the persons who are detained in various jails without trial and I simply wanted the Government to complete the good work that they have begun by further releasing the prisoners who are so detained.

This, in my opinion, was not a criticism of the terms of the agreement itself. I simply want the Government to carry out the good work in a more liberal spirit. Then, again, as regards your contention that the resolution is confined only to the question of congratulations, may I point out that this congratulation is not a mere matter of form. It is not a ceremonial affair. The resolution refers to the matter of congratulations and therefore we are justified in attaching great importance to the terms of congratulations by criticising them, if necessary.

Mr. PRESIDENT: If that was your intention you should have come forward with an independent motion and should not have given notice of your present amendment. In that case your scope would certainly have been wider. You have not done that, and have let that opportunity pass. An amendment cannot serve the purpose you have at the back of your mind, as it must come within the purview of the main motion. I may draw your attention to section 41 (*1*) of the rules which makes it imperative that an amendment moved to a particular question must come within its scope. You cannot get out of that. The main motion does not discuss terms of the settlement arrived at. It does not propose to impose any fresh term or ask Government to take any action. It is merely congratulatory in its character. Your amendment, therefore, was ruled out of order.

Babu JITENDRALAL BANNERJEE: May I make a further submission, Sir?

Mr. PRESIDENT: I do not think I can permit you to discuss my ruling. You simply wanted further light to be thrown on it and I have made it as clear as possible.

Mr. SHANTI SHEKHARESWAR RAY: Sir, may I make a submission in regard to my amendment. I have no grievances in regard to your ruling, particularly, in view of your statement that your rulings are really in the interest of the members themselves. That disarms our sense of criticism.

Mr. PRESIDENT: As regard your first two amendments, they are covered by what I have already said. But there is another amendment in your name with regard to which you may make your submission.

Mr. SHANTI SHEKHARESWAR RAY: Sir, I first of all draw your attention to the letter of the Secretary in which he draws my attention to the procedure which has been followed in the Legislative Assembly with regard to certain amendments. But in this connection I beg to submit that when an original motion is received we can submit

criticisms if we wanted to by means of an amendment. But as my amendment has been rejected on the precedence of the Legislative Assembly, I am certainly entitled to make a grievance of it.

Mr. PRESIDENT: I may point out that when the Secretary drew your attention to the example which the Assembly had set, he merely suggested that it was a very good example, well worthy of imitation; but you are mistaken when you say that my decision was based on that. I disallowed it under section 41 (*5*).

Mr. SHANTI SHEKHARESWAR RAY: I have suggested that certain words are to be omitted from the original resolution. Certainly we are entitled to offer our criticisms and for that purpose certainly we are entitled to suggest the deletion of certain words in order to modify the original resolution. As I read it, Mr. J. N. Basu seems to suggest that we agree with the decisions that have been arrived at and we are certainly entitled to modify that suggestion.

Mr. PRESIDENT: With regard to that, I may point out that your amendment wanted to delete some words which were hardly of any vital importance to the motion itself.

Mr. NARENDRA KUMAR BASU: May I make a submission on my amendment? I understand my amendment has been rejected under section 42 (*1*). With great respect I may submit that section 42 (*1*) does not seem to be relevant in this.

My submission is that my amendment was certainly relevant to and within the scope of the question which was proposed to be moved.

Mr. PRESIDENT: You are not right in saying so. Besides, your amendment has the effect of a negative vote and as such offends against another section, namely, section 41 (*2*). You wanted to delete virtually every word of the main motion.

Mr. NARENDRA KUMAR BASU: The resolution of Mr. J. N. Basu is that we have got to congratulate somebody and express satisfaction to the Council on the successful termination of certain negotiations. My submission is that without going contrary to the terms of the resolution we are entitled to move a qualified sense of approval to what has been accomplished. It is, I submit, certainly within the scope of the original motion and would not have the effect of a negative vote.

Mr. PRESIDENT: Order, order, I am afraid I cannot allow any further discussion on this point. But before I sit down I might tell

the House that I went through the amendments very carefully to see if I could admit them but found them impossible under our rules and standing orders.

(At this stage many members rose to a point of order. The Hon'ble the President called them to order.)

Babu JITENDRALAL BANNERJEE: Have we not the right to rise to a point of order at any time? May I not ask for further light on this point?

Mr. PRESIDENT: I have already told you that I cannot allow further discussion on this particular point.

Babu JITENDRALAL BANNERJEE: May I not rise to a point of order—I am not speaking with reference to my amendment?

Mr. PRESIDENT: Yes, you can but before I allow you to do so, I must see that it is really a point of order.

Babu JITENDRALAL BANNERJEE: I must first of all formulate my point of order before you can know whether it is in order.

Mr. PRESIDENT: I have bitter experience of this right being abused.

Babu JITENDRALAL BANNERJEE: My point of order is this: that I understood from your last statement that members would be permitted to refer to the amendments in their speeches on the main motion.

Mr. PRESIDENT: That will depend on what you actually say. You will be permitted to say what you can say without violating our rules and standing orders.

Babu JATINDRA NATH BASU: I beg to move that this Council expresses its satisfaction at the successful conclusion of the recent conversations between His Excellency Lord Irwin and Mr. Gandhi and offers its congratulations to them and to other peacemakers who have worked for the cessation of strife and for bringing about an atmosphere of goodwill so that the work that still remains to be done at the Round Table Conference may be successfully and satisfactorily accomplished.

Mr. PRESIDENT: Before Mr. Basu proceeds further I suggest that Dr. Haridhan Dutt's motion may not be moved and considered as an independent motion, so that there may be only one resolution before the House, namely, that of Mr. J. N. Basu. But Dr. Dutt will be entitled to speak on that motion.

Rai Bahadur Dr. HARIDHAN DUTT: I beg to submit that my resolution has been allowed for discussion in this House as a substantive motion and shall I be denied of my right to move it?

Mr. PRESIDENT: The President has the incontestable right to remove any matter of any sort from the Order Paper if he finds that it is properly desirable to do so.

Rai Bahadur Dr. HARIDHAN DUTT: May I point out that the last portion of my motion is not covered by the resolution of Mr. Basu? The last portion of my resolution runs thus: "The Council trusts that this settlement is the precursor and the pledge of an abiding spirit of honourable and friendly co-operation between Great Britain and India which will enable the latter to take, at no distant date, her proper place amongst the free nations of the world."

You will not find it in Mr. Basu's resolution.

Mr. PRESIDENT: Of course the very words are not there but the spirit is there. But as you insist upon moving it, as an independent motion you may do so.

Rai Bahadur Dr. HARIDHAN DUTT: If you will kindly permit my doing so, I will do so.

Babu JATINDRA NATH BASU: The agreement that was arrived at at Delhi between Lord Irwin and Mahatma Gandhi marks a very important stage in the adjustment of political relationship between Great Britain and India. It has been apparent to the people of both countries that a spirit of distrust has been growing up between them for a long time. That spirit of distrust was shown when a little over 50 years ago the Government of India brought forward measures like the Arms Act and the Vernacular Press Act. On the Indian side the Indians felt that they could no longer rely for the future moulding of their destiny on the British administration in India and they began to organise political associations like the Indian National Congress, and various organisations came into being. Those organisations at the time of their commencement were looked upon with distrust by the British administration in India, but the insistent demand of Indians for greater political powers could not be ignored. We all know that about 1890 Lord Cross brought forward a measure in Parliament making certain advances in the constitution of this country but those advances were so halting and so half-hearted that they did not satisfy public opinion of India. Agitation against the existing order of things continued and became widespread. In the first decade of the present

century when the Partition of Bengal was effected during the Viceroyalty of Lord Curzon it was apparent that this distrust had spread so wide and had gone so deep that it was not necessary for any particular measure like the Partition of Bengal to be put forward with a view to finding the extent to which distrust of the British administration had grown. But the Government of India at that time thought that the best method by which the situation—the spirit of distrust that had spread amongst the Indians—could be met was by enacting a certain class of legislation restricting the rights of the press and by instituting certain kinds of procedure in certain cases by which the ordinary legal methods were for the time being to be set aside and a special procedure adopted. The Partition of Bengal was set aside and for the time being the feeling of distrust felt by Indians was allayed. It showed that there was a desire in Great Britain to trust Indians. But shortly thereafter measures were taken for the internment of a large number of persons and these measures showed that the spirit of trust had not yet come. Then came the Great War. We all know that a very large number of persons were interned and measures were taken causing great dissatisfaction. The great political parties in India felt that the country could not rest where it was. They urged their claim for political advance. The Indian National Congress and the Indian Moslem League came together and entered into what is known as the Lucknow Pact by which they paved the way for the political advancement of their country and by which for the time being they settled the differences that then existed between the two great communities in India. British statesmen applied their mind to the situation in India and the British Government of the day made their famous declaration in Parliament in August, 1917, dealing with the future of India. Mr. Montagu, who was then Secretary of State for India, came out to India and went about this country investigating the state of affairs here. He gave full consideration to the desire of the people of this country for the attainment of a self-governing status. The result was the inauguration of what is known as the Montagu-Chelmsford Reforms. To a great many Indians those reforms were unacceptable because to a considerable extent they continued the system of government which had previously existed and these reforms as we all know did not satisfy the people by reason of the fact that the administration practically remained as irresponsible as before. There is no doubt that the administration remained responsible to the British Parliament. But we all know how in actual practice that responsibility has worked. Before the Round Table Conference one of the delegates, Sir Tej Bahadur Sapru, pointed out in telling language as to how that responsibility worked. He said that the practical application of that responsibility was this: there were 600 and odd members of Parliament sitting in Westminster responsible for the welfare of 320 millions of people in India.

4 p.m.

Out of those six hundred and odd members of Parliament very few knew of the real state of the Indian mind, how it was working and what were the impulses which were moving the Indians in their attitude and conduct. The Secretary of State was no exception—he was one of those six hundred and odd members. In practical working the Secretary of State had to rely upon a few officers in the India Office, and the India Office had to rely on a few members of the Executive Government in this country; so half a dozen men in India and half a dozen men in England really carried on the entire government of 320 million people of this country. That was how the British Parliament exercised their responsibility with regard to the administration of India. Sir, Indians feel that they are not being governed in the way that they ought to be governed. Their public health is being neglected, their education is being neglected, their economic conditions are being neglected, their social services and social legislation are being neglected. They feel that they are in many respects exactly where they were 150 years ago. All this they feel every day of their life and they feel that if they had the management of their affairs in their own hands they could have built up an administration to suit their own needs, that they would not have remained in back waters, kept back from the big surging world-stream of progress rolling alongside of them. That is what the Indians wanted frankly to tell the Britishers and they also wanted to understand what the Britishers had to say. The Round Table Conference offered that opportunity and that opportunity was fully availed of and it resulted in an understanding of the real situation in India and the real mentality of the movements that had spread so wide and deep not only amongst politically minded Indians but also amongst the masses. We all know and the Executive Government probably knows it better, that many cultivators and people, whose belongings are small, have staked their all and lost their all for the sake of their country and for bringing about the system of Government which they want. We all know, so far as education is concerned, that there are certain important communities which are not educationally as advanced as other communities. Where is the organised attempt that has been made in applying measures which will bring all these communities into line educationally with the most advanced communities in this country? Those are matters which make all sections of the people think that the system of government is not all right—a system which has no organic connection with the people but is superimposed on it as an extraneous body and so cannot function according to the needs and desires of the people.

Sir, the Congress Party in India did not at the commencement accept the opportunity which was offered to them to tell the British people frankly what Indians really wanted. That attitude to some

extent created a difficulty, namely, that whatever settlement was arrived at the Conference could not be with the co-operation and assent of all sections of Indian political opinion. Sir, the Congress is one of the most influential sections of political opinion in India and it cannot be ignored.

Babu JITENDRALAL BANNERJEE: Not one of the most, but the most. What are the other important sections?

Babu JATINDRA NATH BASU: I may say that so far as the Moslems are concerned a very large majority of them do not in many matters think in the same way as the Congress does. There are 56 millions of backward classes who do not likewise see eye to eye with the Congress in some matters. (Question!) (A VOICE: Due to the existence of the third party.) Well, Sir, the Congress attitude was there. It refused to accept the offer. Lord Irwin saw that if any system was to function satisfactorily for all concerned, the opinion of such an influential section of the people in India should not be treated with disregard. And therefore he and Mahatma Gandhi came together. We find that they did not agree on all points, but because they did not agree in many respects, that fact did not prevent them from coming together and discussing matters about which they disagreed. The fact that the head of the British administration in India met the head of a great political party in India—a party which had gone to the extent of defying the existing laws of the land in various matters—to discuss means by which that party as well as other parties and representatives of Britain could meet together and exchange their views freely and frankly, and, if possible, come to an agreement, is indeed a great achievement. It is unique in the annals of British administration in India. We ought to be grateful both to Mahatma Gandhi and Lord Irwin for opening a new vista in which the relationship between England and India appears in a different orientation from that to which we have been accustomed up to the present. The discussions were entirely on the basis that there should be no bar to the Congress party or any other party stating or placing before the Conference for consideration, anything that they might desire to bring forward. Sir, there is one feature of the criticism which has been directed against this agreement, which is this: that various acts done by officers of Government to which exception has been taken should be inquired into and the grievances of various people, individually and collectively, which have been put forward, should be redressed before the work of the Conference could be further proceeded with. Sir, the events to which exceptions are taken have no doubt given rise to a good deal of bitter feeling in the country. But, Sir, they are of a temporary and

ephemeral character, while the entire object with which the Conference was called was the establishment of a new system of government which would be of a permanent character. If we allow these temporary things to prejudice our minds while the discussions for establishing a permament form of new government are in progress, I think it will do no real good either to those who object or to the country, because we all want that these discussions should be held in as calm an atmosphere as possible. It is desirable that all contending views should be carefully and calmly considered. If these temporary grievances are brought up now, they will create an atmosphere of distrust which will prevent a calm and careful consideration of the very important matters to which we shall have to apply our minds soon. It must be remembered that the political movements in India have so far to a great extent concerned themselves with criticising the existing state of things. Many of those concerned in these movements have not applied their minds to constructive work. They have not suggested how they will replace the present system and by what. Those are things which they should now consider, and the time has come when our minds should be directed to work out constructive schemes. That is the most important problem now. Sir, it is the Viceroy who in his great work to achieve peace has dispelled the cloud of distrust between the two countries, so that the people of the two countries may look at each other in a spirit of goodwill and arrive at a common understanding for the good of our great country, thereby bringing peace and amity between the two great nations.

Mr. S. M. BOSE: Sir, I beg to to support the motion so ably moved by our leader. In doing so, I shall be brief for I do think that all India————

Babu JITENDRALAL BANNERJEE: On a point of order, Sir. Is it in order for any member to read his speech entirely from paper. You have referred to Parliamentary traditions. Do those traditions allow a member to read his speech entirely from paper?

Mr. PRESIDENT: Parliamentary traditions are plants of slow growth.

4-15 p.m.

Mr. S. M. BOSE:————without distinction of race, or caste or creed, is unanimous in believing that the Irwin-Gandhi Pact is fraught with untold good, not only for India, not only for England, but for the whole world. As has been well said, peace hath her victories no less renowned than war.

The Pact, I maintain, is of the utmost consequence for the whole world; it is of international, not merely national, importance. It is, as great, as far-reaching, as the Peace Treaty of Versailles of 1918. In some respects, I say, the Delhi Pact is of greater importance. For the first time in history, a settlement of this character between two nations has been achieved without bloodshed. For the first time in history, a pact which will result in permanent peace has been made which means no humiliation to either party, which leaves no sting of bitterness behind. We all know that at the time of the Peace Treaty in 1918, the cry was "Germany must pay." The victorious Allied Powers were animated by the spirit "*Va Victis*" (woe to the conquered); on the other hand at Delhi the underlying spirit was one of amity and trust.

Sir, this shows how far we have travelled in the path that leads the world away from war towards peace and fellowship. By the Delhi Pact, India has shown to the whole world the New Path—how to solve peacefully, vital problems affecting the position of two nations hitherto related as the conquering and the subject race. India's unique contribution has been the invention of the new weapon of non-violence, of *Ahimsa*. (Hear, hear.) Mahatma Gandhi has exemplified the maxim that Will and not Force is the basis of the State. Force was on the side of England with her mighty battalions and guns and aeroplanes. But the Will of India ultimately prevailed. This powerful new weapon of Satyagraha, forged by India, has now been returned to its sheath and I pray that there may be no occasion for its being unsheathed again.

I shall now dwell for a moment on the real implication underlying the Delhi Pact. On the 9th February last, when we were discussing here the Round Table Conference, I dwelt upon the new spirit of co-operation, trust and goodwill that prevailed in England. The speeches of the Premier and other Members of the British Delegation at the Conference and in Parliament, made it clear that a new era was dawning—an era of co-operation, of partnership on a footing of equality between England and India. These speeches assured equality of status for India. The first demonstration of the fact that such equality has been established, has been the Delhi Pact. For the first time in history, the representatives of England and India, have been sitting side by side, and after prolonged discussion, they have agreed upon articles of peace. This, to my mind, is a stupendous fact—one that demonstrates beyond the shadow of a doubt that England and India are dealing with each other as equals. From this point of view, it matters not what the terms be. It is enough for us that Peace has been made between England and India. It is enough, I say, to show that the old relation of the ruler and the ruled is now gone, that the parties are now at arm's length, dealing with matters on an international footing.

Now Sir, I ask, is not that a tremendous gain, gain not only for India but for the whole world? India is now a mighty State, a great power for peace and right, a powerful ally and friend of England—a mighty force for the uplift of the world. I feel certain that the importance of India now after acquisition of Dominion Status will be very great in the League of Nations, as a force making for peace and righteousness.

Sir, may I digress for a moment to dwell on the character of the two great men who are close friends, though antagonists and champions of different interests and States? His Excellency Lord Irwin, the Great Christian, and Gandhi, the Great Saint, met on the common platform of religion. Both alike believe in the Golden Rule, both alike are inspired by, and imbued with, the spirit of the Unseen, both alike feel that in the mighty contest between the rights of England and the rights of India, the sole solvent of all difficulties is a spirit of love and goodwill which is the basis of all religion. Sir, to me it is wonderful how the Pact has been brought about in the face of stupendous difficulties. Sir, the age of miracles is not past. I pause here to pay my tribute of respect to His Excellency for his wonderful patience and, if I may say so, for his grit—his iron determination. No Viceroy has ever displayed such tact, such faith and such trust in humanity, in the midst of so many obstacles. Turning to Mahatma Gandhi, words fail me to describe our sense of indebtedness to him for his supreme courage, for his devotion to the right as revealed to him. I wish to dwell for a moment on his supreme courage—that emboldened him to take the tremendous risk of coming to terms with His Excellency. It is difficult for us, now that the Pact has been made and has met with a large measure of approval, to realise what risk he took in the early days of March. My deep homage goes out to that brave hermit—that fellow Barrister of mine, that half-naked fakir who strode the steps of the Viceroy's Lodge, as the representative of millions of his countrymen. Sir, we have all of us heard outside, the oft-repeated cry, "*Gandhi Maharajki Jai.*" To-day, inside the Council, I venture fervently to add my feeble voice to that mighty cry, for indeed, he is great. Unperturbed by dissension, and obstacles and difficulties, he is calm, serene in the courage that comes from the All-High. Sir, His Excellency and Mr. Gandhi to my mind, are, as Goldsmith says:—

> "As some tall cliff that lifts its awful form,
> Swells from the vale, and midway leaves the storm,
> Though round its breast the rolling clouds are spread,
> Eternal sunshine settles on its head."

I have said above that the terms of the Pact did not matter so much. But a careful examination of the 23 clauses will convince everybody

that they are eminently fair and satisfactory to all parties. The notification of the 5th March is a marvel of draftsmanship and carefully avoids both extremes. As such, it commands respect and obedience.

Then it is my pleasant duty to convey thanks to other peace-makers who have been behind the two, Sir Tej Bahadur Sapru, Right Hon'ble V. Srinivasa Sastri, Mr. Jayakar and others who at this critical juncture have spared no pains to ensure peace. Their services have been incalculable and India owes them a deep debt of gratitude. Sir, if the resolution be accepted, I would request you, on our behalf, to convey our congratulations and cordial appreciation, to His Excellency, to Mr. Gandhi and to these gentlemen.

Now that peace has been established, and Government and Mr. Gandhi with the Congress have set to work to carry out the terms thereof loyally, the task of bringing about a settlement of the outstanding problems regarding protection of minorities, the Hindu-Moslem representation and other matters is now made easier. We face the future with supreme confidence for, after the miracle we have just seen, everything is now possible. Sir, I care not what Mr. Baldwin is alleged to have said, I care not what Mr. Churchill says, I care not what the Die Hards of both countries may say. We go forward, for nothing can stop our onward march. All of us, Hindu, Moslem and Christian—Indians and Europeans—I firmly believe, will now be able to settle the outstanding questions. Sir, in my speech on the 9th February last, I pleaded for the faith that removes mountains. Little did I dream then that within a month we would see a vivid example of that faith that was in His Excellency, the faith that was in Gandhi—the faith that has indeed removed mountains of difficulty and distrust.

Sir, it makes me rejoice to be alive now to realise that history is being made now, to feel that one is living at a time when India is being moulded into a nation. And we exult, for our eyes have seen the glory of the wondrous dawn of Freedom.

Sir, before concluding, may I pay a tribute of respect to the unknown warriors who have fought and suffered? We salute those who gave their little all, who embraced poverty and suffering because of the call. We salute our splendid women who have silently, without fuss or clamour, come forward to suffer for what they took to be the right. Difference of opinion as to the methods pursued will not deter us from honouring them.

We have arrived at the crossways; let us abandon the old path that leads to a morass, the downward path and aloofness rather let us take the higher path—the path that leads to comradeship with all the forces of the world. Let us ring out old shapes of foul suspicion and distrust,

ring out the darkness of the land—let us ring out the thousand wars of old—let us ring in the thousand years of peace, ring in the valiant India—the free India, ring in peace and goodwill. May the ruler of the destiny of India enlighten our understanding and guide us in this critical period.

4-30 p.m.

Rai Bahadur Dr. HARIDHAN DUTT: Mr. President, Sir, I rise to move the resolution that stands in my name, namely:—

"This Council expresses its satisfaction at the settlement arrived at by His Excellency Lord Irwin and Mahatma Gandhi as an event of great national importance and places on record its high appreciation of courage, statesmanship and goodwill displayed by them in bringing the negotiations to a successful issue. The Council trusts that this settlement is the precursor and the pledge of an abiding spirit of honourable and friendly co-operation between Great Britain and India which will enable the latter to take, at no distant date, her proper place amongst the free nations of the world."

In practical effect, it is the same as that moved by my friends Mr. J. N. Basu and Mr. S. M. Bose in as far as we all seek to express the sense of gratification which the country feels at the provisional settlement arrived at between the Viceroy and Mahatma Gandhi, our sense of the very great appreciation of their stupendous efforts in the cause of peace and goodwill and our grateful acknowledgments to them for the results achieved. I, however, propose to go a step further in my resolution and lay stress on the national importance of the settlement viewed from any standpoint and to express the hope that it might be the harbinger of an era of mutual understanding and friendly co-operation between England and India.

When about this time last year, Mahatma Gandhi launched his civil disobedience campaign, many of us entertained grave doubts as to whether the movement could possibly remain non-violent till the end, whether it would be possible to keep it up long enough to make its effect felt, and lastly whether, even if the movement continued sufficiently long and succeeded, the results would be commensurate with the suffering it would entail. Our apprehension was that it might fail, and result in encouraging among the masses a spirit of defiance of constituted authority which, if it became general, would make any Government, whether national or alien, impossible. As the movement developed, we were struck by the magnificent spirit of sacrifice and heroism displayed, and we found that in spite of occasional lapses, and temporary or local aberrations from the ordained path, which are bound to occur in every mass movement, it retained on the whole its essential

characteristic of non-violence and resulted in a genuine outburst and expression of national feeling, pervading all classes and communities, far beyond the limits of the particular political group who has ushered in, and had been carrying on the campaign. We soon witnessed a general and voluntary abandonment of foreign goods, particularly tobacco and foreign cloth. If the present aversion to these things endures, as I hope it may, a great social reform will have been achieved in the case of tobacco, and an economic gain of tremendous significance in the case of foreign cloth. We also saw the other side of the picture, ordinance after ordinance, clashes with the police, wholesale arrests and imprisonments, widespread misery and suffering, dislocation of trade and disturbance of the normal processes and activities of life. With the leaders in no disposition to yield, and a Government stiffening at every resistance to authority, with world-wide trade depression to add to the trouble, political chaos and economic ruin seemed inevitable and it is a happy circumstance both for India and for England that at such a crisis of our affairs there should have been at the helm of the Government in India a fine type of English gentleman like the present Viceroy with rare courage, farseeing statesmanship and transparent sincerity of purpose, determined to understand, to remove the causes of mistrust and suspicion, and anxious to explore every possibility of settlement. It was a lucky circumstance, too, that a Labour Government should be in power in England with a Prime Minister and a Secretary of State anxious to do justice to India and they and the great leaders of the other political parties in England should all have been eager to secure India's goodwill and co-operation at any price in framing her future political constitution. It is fortunate, too, that on the Indian side the necessity of evading a civil strife of this kind should have been grouped by our leaders and they should have taken upon themselves the task of bringing the two great protagonists together for a discussion. All the peace emissaries, Mahatma Gandhi and the workers of the Congress Working Committee displayed very high practical sagacity and statesmanship in arriving at an understanding and the country cannot be sufficiently grateful to or proud of them. For almost the first time in the history of the British connection with India, we saw the Viceroy of India, casting off the trammels of office and ideas of official prestige, and an Indian commoner like Mahatma Gandhi in his loin cloth exploring in the Government House in Delhi, in the midst of pomp and power, the avenues to rapprochement and they have succeeded magnificently where most people would have failed. There is no need to balance the losses and gains on one side or the other. Life must be a series of compromises and without a spirit of give-and-take, it would not be worth living. Both the Viceroy and Mahatma Gandhi have displayed this spirit in a remarkable degree—both the present and future generations will remember their signal services with gratitude and admiration.

The procedure adopted marks a definite departure from the usual bureaucratic method of dealing with things in this country. Two heroic souls have met face to face, and have discussed human affairs in a human way and have helped to allay suspicion and mistrust. If this marks, as I hope it does, a definite break with the past—on the Government side, a definite abandonment of the soulless bureaucratic way of doing things which I call wooden, and on the Indian side of the policy of non-co-operation, the gain to India and England will be incalculable and a new era will usher in which must make for the mutual happiness and prosperity. With no mutual suspicions and a sincere desire to understand and appreciate each other's difficulties I have no doubt that the Indian problem will be solved to the satisfaction of both England and India. I have no doubt too, that Mahatma Gandhi with his wonderful powers of persuasion and leadership will bring about communal unity between Hindus and Muhammadans. My Muhammadan friends need not fear that the present rapprochement between the Government and the Congress party might prove detrimental to their interests and the position they hoped to secure in the future constitution. If Mahatma Gandhi could give up so much to arrive at an understanding with Government, we should not hesitate to go to any length to secure an understanding among ourselves.

With these words I commend my resolution to the House.

Raja Bahadur BHUPENDRA NARAYAN SINHA, of Nashipur: Mr. President, Sir, I endorse every word of the resolution already moved. There is not a party in Bengal that has not been deeply stirred by the amiable spirit in which the recent conversations have been carried out between Mr. Gandhi and His Excellency the Viceroy. Mr. Gandhi whittled down his points to a minimum and in spite of opposition from several quarters to the contrary he was able to bring about satisfactory and honourable settlement for the good of our motherland. His Excellency the Viceroy has displayed, on his side, a true Christian spirit. He did not think of retaliation or recrimination. He put all that aside and entered into the negotiations in the right spirit. His Christian fortitude, his ability and skill have won the battle; the result has been that every Indian, including Mr. Gandhi, hails him as a great Viceroy, not because of his power but because of his love of the country of which he is in charge and of his sincerity of purpose. Truly he has displayed the right spirit of *ahimsa* that we, Indians, venerate so much. When we find that as a result of the interviews between the head of the Government and the leader of the people the attitude of the latter has undergone a fundamental change, we cannot but rejoice in the consummation which was so devoutly to be wished for. That amnesty should be granted to those whom we may call the prisoners of war follows as a matter of course and we have nothing but thanks to the Government for having relieved the tension

both financially and politically by having emptied the jails when the burden was growing too heavy for the people. But, Sir, there is a rift in the lute. The progress of permanent peace after the truce is not as free from risks as we desire it to be. Still there are extremists abroad—both officials and non-officials—who would wreck the compromise by picking a hole here, or a flaw there. Both the Government and the people ought to steer clear of them. The peaceful atmosphere should be utilised to its fullest and no time should be lost through dilatory methods. No time, I repeat, should be lost so as to let discontents gather strength.

But what has been done is not enough. We must not rest on our oars for we may drift again. There is yet another conference to be held in London in the coming autumn, where India's future will again be discussed, in order to frame a constitution for the country. This will be impossible if we are divided. At present there is communalism stalking over the land. Mr. Gandhi says that he will go down on his knees to the Moslems in order to bring about an amicable settlement. That is the right spirit to show. It is by love that we win. So our *rishis* have taught us. We must remember we are brothers, and India is our motherland. The Indian nation must be built up by Hindus and Moslems together. Without this union it is useless to talk of Round Table Conference. Without that, we shall be building castles in the air. The solidarity of the Indian people are the only foundations on which it will stand. I would appeal to my countrymen, both Hindus and Muhammadans, to look upon this question from the national point of view and not in a narrow selfish communal way so as to disturb what has been achieved, till now.

The spirit of bargaining must be given up and a bold policy of generosity be adopted. The Hindus who have made so much sacrifice for the cause of their motherland will not lag behind in acting up to the advice of Mahatmaji and I hope our Muhammadan brothers should take up the question in the same spirit. Give and take and achieve purna swaraj.

I join Mr. Basu in expressing our gratitude to Sir Tej Bahadur Sapru, Mr. Jayakar and others, the peacemakers, unknown warriors, both men and women, who suffered so much for the country should also be remembered with gratitude.

[At 4-45 p.m. the Council was adjourned for prayer and it reassembled at 5 p.m.]

Mr. H. S. SUHRAWARDY: Mr. President, Sir, I shall attempt not to be as discursive as some of my predecessors and shall try my best to confine myself to the resolution before the House. The

resolutions have the unfortunate tendency to make one either lachrymose in eulogy, or sermonising when dealing with tremendous soul-forces. But before I deal with the main subject I must commend the fair-mindedness of Mr. J. N. Basu, who, presumably on account of his association with practical statesmen in England and on account of the opportunities that he has had to study the viewpoint of the Muslim representatives to the Round Table Conference has arrived at a clearer understanding of the rights and the demands of the Mussulmans than other members of the Council who have spoken to-day. I am sure that if Mr. Basu proceeds on these lines for very much longer, he will soon discard the orthodox clothes which he wears and take to the loin cloth as a very good successor of Mahatma Gandhi in Bengal. Nevertheless whatever may be his fate in the future, I feel that he has earned our confidence in his ability to deal with the communal question. I am sure that the spirit which he has shown in the Council to-day will in course of time break down the barrier between the Mussulmans and the Hindus which has unfortunately arisen and which stands in the way of the Muslim viewpoint being appreciated by the Hindus, some of whom, at least start with the assumption that whatever the Mussulmans may ask for their safety must be founded upon injustice. Sir, the hon'ble members who have moved the resolution before the House have made a very successful attempt in removing from the House a general atmosphere of depression and banality and drudgery which is our usual lot. The resolutions, however, made it only too clear that under the present constitution, the destinies and the political interests of our country are decided not in the Legislatures but outside; and all that we have to do is to endorse what takes place outside the Council and with which we have had nothing whatever to do.

Nevertheless such resolutions serve to ventilate the political problem from different view points—and our considered opinion is that the contract between Mahatma Gandhi and Lord Irwin has been a wonderful achievement; that it has introduced trust in place of mistrust and goodwill in place of hostility. It cannot be doubted that Mahatma Gandhi has been impressed by the sincerity of Lord Irwin. No one who had come within speaking distance of the Viceroy can fail to be impressed by his sincerity and by the goodwill which he radiates. For years he has been working for the consummation which is now an accomplished fact; and it is no secret that in spite of the great hostility that he had to face from the European community, he tried his level best when he came down to Calcutta on the last occasion to make the Europeans understand the situation and make them acknowledge that the Indians have a right to shape their own destinies. His name will go down to posterity as the benefactor of the Indian peoples, a friend of humanity and of the subject races, a practical idealist, a philosopher and a statesman. Sir, I do not know whether the contract is a set-back to the national movement. If the national movement is a continuous

struggle to achieve greater and greater results so that the Indians may fit themselves for a higher destiny, then I submit that there has not been any set-back to the national movement. But if the national movement implies mistrust and deliberate obstructiveness, a deliberate perversion of all acts, doings and sayings of Government, then the national movement has suffered. But I take it that except in the minds of the very few, the national movement has no such false foundations. Indeed the statesmen assembled at the Round Table Conference made their declarations in such unequivocal terms, all parties co-operated in such a manner that they cannot now go back on the statements that they have made without stultifying themselves before the whole world. An attempt was made in certain quarters to side-track the main issue by raising various other issues, such an attempt was distinctly dishonest and it is to the credit of Mahatma Gandhi that he gave it up. Now that the main issue has been tackled Mahatma Gandhi will have to face certain very important issues which will come up for consideration. He will have to face the problem of bringing into harmony the demands of the people of British India, the claims of the Princes, the rights of each community and of the various minorities, as well as try to compose the internecine problem of the Sikhs and the depressed classes. He will also have to consider the proportion of representation of labour in the new constitution. Mahatma Gandhi has declared a certain method which at once disarms suspicion —it is a method which tempts one to say to an opponent in a moment of generous impulse—take whatever you want and give the rest to us. It is a great and noble gesture. But, Sir, unfortunately, our past experience has made us afraid of generous impulses in this direction lest it leads us into morasses. Was it in 1925 or 1926 that Mahatma Gandhi fasted so that Hindus and Muhammadans may make up their differences. But we saw that except for a temporary period nothing was achieved in that direction and the gulf between the two great communities was not bridged; and Mahatma Gandhi seeing that it was not within his power to bring about a rapprochement between the two communities declared that he would retire from politics for the time being. In the contract that we are now discussing Lord Irwin was in a position to deliver the goods on behalf of the British Government and Mahatma Gandhi was in a position to deliver the goods on behalf of Hindu community and the civil disobedience resisters, as he had the power of withdrawing the civil disobedience movement which was initiated by him. Even now there are signs of rebellion against him but the rebels are, I am sure, without sufficient influence in the country to bring back the civil disobedience movement if Mahatma Gandhi forbids it. But I have the greatest doubt whether in the case of communal settlement Mahatma Gandhi has got the power and has got the influence to deliver the goods on behalf of the Hindus. I do feel that for the last several years so many new forces have been at

work among the Hindus—forces that have fanned the flames of prejudice and hatred—forces that have brought the question of prestige to the fore—that I am afraid Mahatma Gandhi will not be able to subdue them. This is no time for forecasts; it is quite possible that my forecast might be wrong; but I venture to prophesy that if Mahatma Gandhi settles the communal question by acceding to the demands of the Mussalmans, such demands as they think to be absolutely essential for their safety and without which they think they will not be able to preserve their religion and their culture in India in a hostile atmosphere—then immediately attempts will be made in the name of prestige to raise forces antagonistic to such settlement. I hope I may be wrong but our past experiences clearly show that such attempts will be made. The Hindu Mahasabha has succeeded in raising such forces of antagonisms and self-assertion, such false notions of prestige, that on pain of being extinguished, it will attempt with all its power to keep alive the fetish of a Hindu domination in a Hindu India. It will never consent to a settlement in which the Mussalmans may be guaranteed justice and fair play. I do hope that such may not be the case, but our past experiences belie this hope, and we cannot but give the go-by to our past experiences. But I can say this that if there is any genuine desire for a rapprochement the Muhammadan community will most eagerly try and see whether such a rapprochement cannot be come to between the two communities, and be the first to extend the hand of friendship.

5-15 p.m.

But I cannot refrain from sounding my feeling of suspicion. Will my friends such as Mr. J. L. Bannerjee and others, who are interrupting me and who seem to have read the mentality of the Hindu Mahasabha give us an assurance that this feeling does not exist in the Hindu Mahasabha to-day and can any of my friends deny that in spite of this undoubted suspicion————

Maulvi SYED JALALUDDIN HASHEMY: Sir, is he entitled to discuss the Hindu-Moslem question on this resolution?

Mr. H. S. SUHRAWARDY: I had mentioned this communal question for I feel that the entire success of this Gandhi-Irwin Pact depended on a future settlement of this question, which is the main crux of the Indian problem. If Mahatma Gandhi will try and remove this atmosphere of suspicion against the Mussalmans which has been engendered by unseemly dissensions during all these years he can do no greater service. Shall I as an example of the prevalence of this feeling of suspicion and distrust state that if there was not this feeling was there any necessity whatsoever for those hysterical and frantic telegrams to England, while the Round Table Conference was sitting;

and for holding a meeting at Town Hall in which Mussalmans were denounced, as soon as the mere possibility of the Mussalmans being accorded 51 per cent. of seats as against 49 per cent. for the Hindus was suggested? But, Sir, I do hope that the generous statements of Mr. Gandhi have affected the Hindu mind, and if that is so, there will be no difficulty whatsoever in coming to a settlement with us, for it is only with generous sentiment that suspicions can be allayed. I think I am right in saying that to no community perhaps has the prospect of a possible settlement between the two communities been more welcome than to us.

Dr. NARESH CHANDRA SEN GUPTA: I agree and every one of us will probably agree with the sentiment which has been expressed by the hon'ble mover of this resolution that the news of the settlement with Mahatma Gandhi and the Viceroy has been received with a great sense of relief and satisfaction by the people. But I cannot for the life of me see what there is in that to occasion the tabling of a resolution of this character, to provoke an orgy of vacuous platitudes, to which we have been treated. I shall attempt first of all to bring the House back to realities. In the first place, it is not as if peace has been finally concluded; it is only a truce that has been achieved. Then in the second place; even if it had been a final treaty, a peace, between England and India, achieved through the confabulations of Mahatma Gandhi and of the Viceroy, I fail to see why the hon'ble member should be so very anxious to come forward with a motion to register our congratulations. I say this not because there has not been any reason for congratulation, not because there has not been any reason for rejoicing because a causeless strife has come to an end, but because I feel that it ought to have made us hide our heads for shame. For, what are we called upon to register? Mere congratulation on a decision arrived at on behalf of India and on behalf of England by people with whom we have had no direct concern? We in this House pretend that we are the representatives of the people; we in this House are fed with the illusion that we are the constitutional advisers of Government, but these negotiations to which we have not been a party show the utter hollowness of these pretensions and we ought to have been satisfied with the realisation of our pettiness and of our insignificance and should not have come forward to join in a general acclamation to emphasise our insignificance. In the constitution of ancient Athens, which was supposed to be a democratic constitution, a similar role was assigned to the popular assembly, the Ecclesia. The Archons decided upon the measures to be taken up; the Boule discussed them and when the matter came to the Ecclesia they simply carried it with acclamation. I am not proud of the function which have been sought to be assigned to this Council by this motion. Whether we resolve upon this resolution or not, whether we record our congratulations or not; it would not matter in the least. The agreement has been arrived at between Mahatma Gandhi and the

Congress representing India and Lord Irwin representing England. We are interlopers and we have no business to express our opinion upon it; we have not been called upon to do so. This is what makes me impatient; this is what makes me so very grudging in giving my support to a resolution which I would have been very happy to endorse otherwise. However, as I have said, we have to somewhat modulate our congratulation because in the first place it is only a truce. A truce is also a good thing; it is the best of a bad bargain; it gives you breathing time but it is not an end of all strife. The issue has got to be awaited and it is to be awaited with patience, not with hysterics, and it would be undignified of a dignified body like this Council to go into hysterics, far less to launch into pæans of joy for those who have brought this about.

There is another point which makes me reluctant to give my wholehearted support to this resolution, and it is the result of the procedure which has been followed by Mr. J. N. Basu in bringing forward this resolution. It is a matter upon which, if he wanted an unanimous resolution he ought to have had an agreed resolution and if the hon'ble member tabled the motion for the purpose it would have been not only prudent but also graceful on his part to consult the leaders of other parties and to frame an agreed resolution which might be passed without any dissentient voice. That procedure he has failed to follow and the result is that we find it difficult to accept the resolution as it has been framed. We have yet to see how the terms of agreement are carried out by the Government. We have yet to see how the terms are carried out by the people, the Congress, on whose behalf Mahatma Gandhi has entered into them. We know as a fact that up till now all the prisoners who come under the description of those who can be released have not been released. Their cases are being examined. We know that several such prisoners are even at the present moment in the Alipore Jail though they have not been convicted of offences in which there was the slightest trace of violence, but their cases are being examined, not to consider whether those offences of which they have been convicted showed violence for which they ought not to be released but whether their antecedents were such as would justify their release.

The Hon'ble Mr. W. D. R. PRENTICE: May I ask the name of those prisoners?

Dr. NARESH CHANDRA SEN GUPTA: I think I can name only one person who has since been released after all.

The Hon'ble Mr. W. D. R. PRENTICE: I wanted the name of those who have not been released.

Dr. NARESH CHANDRA SEN GUPTA: I may name Bepin Behari Ganguly.

The Hon'ble Mr. W. D. R. PRENTICE: Only one name.

Dr. NARESH CHANDRA SEN GUPTA: Yes, that is all that I can give now. In any case there are persons who have not been convicted of violence who have not yet been released. Mr. Prentice gives the explanation that it will take some time to decide on cases. Certainly it takes a little time but at the same time Mr. Prentice must realise the mischief which this delay creates. If it requires time there is also the need for saving time in the interest of the greater urgency of reassuring the public mind that Government is not unwilling to release prisoners. I think the fault does not lie in the intention of the Government but in red tape and the shorter the measure of red tape the better in such cases. I am anxious, therefore, that before we congratulate the Government or congratulate the parties to the agreement on the element of success of their movement we should make sure that Government are giving a generous interpretation to the terms of the settlement that has been arrived at and have shown the utmost promptitude so as to reassure the public mind, I can assure Mr. Prentice that public mind is far from being reassured in this matter. A far more generous interpretation of the terms should be given, and I should say further that a generous extension of the principle of amnesty is needed so as to include the Bengal ordinance prisoners. Until that is done I am satisfied that there can be no real peace in the country, and I think there is not. However it is not possible for us to introduce into the resolution anything which will give expression to our wishes or our opinion in this matter. We have to take the resolution as it is and my objection is that in the form in which it has been introduced it goes too far in expressing our congratulation or gratification, and that it is not really called for.

5-30 p.m.

Mr. KHWAJA SALAUDDIN: Sir, it is with great pleasure I rise to support the resolution of Mr. Jatindra Nath Basu. Truce—call it peace—has at last come. The whole country is rejoicing to-day at the dawning of a new era in the life of the Nation. The successful conclusion of the conversation between His Excellency Lord Irwin and Mahatma Gandhi has brought a new hope and a new awakening to the country. Peace is always welcome if it can be had with honour, and I have no doubt that this has been attained. To-day both the great Mahatma and the chief representative of His Majesty can proclaim to the world in the famous phrase of the great leaders of the Tory Party: "That we have achieved peace with honour." The whole Nation and the whole Empire is grateful to His Excellency Lord Irwin, who has followed the policy of Elder Pitt, and shown by his patience and statesmanship that England still possesses men who can

save the good name of England in critical times, and serve her Empire to the credit of England's honour. The peace is in no way a discredit to the great Indian political party which has struggled for years for the freedom of its motherland, and there is no doubt that peace would not have been achieved if Mahatma Gandhi had not shown the spirit of his saintly qualifications.

Here I would like to draw the attention of the House to a remark made by Lord Brentford that the Moslems of India regarded Mahatma Gandhi as so much dirt. I say that such a statement is gross misrepresentation of Mussalmans of India and a libel on the good name of my community. I am afraid that the noble Lord has got a wrong idea of Mussalmans of India. Not a single Moslem, no matter how much he politically differs from Mahatma Gandhi, can have anything but respect for him. Such remarks are insulting to the intelligence and patriotism of Muslim community.

Sir, we have won a great achievement through the statemanship of British and Indian leaders. Now, the most important question, which is facing the country, must be tackled if we wish to achieve the freedom of our country. That is the Hindu-Moslem question. This question has been discussed and debated by the eminent leaders of both the communities, and a new-comer in political life, like myself, cannot suggest anything concrete where so many great men have failed. But, Sir, I will be failing in my duty as a son of India, if I do not place my humble opinions before the leaders of both the communities, and if my opinion in any way can help to solve this great question then I will think that I have served my country as its humble servant.

My suggestion is that the matter concerning Hindu-Moslem community be referred to a board of arbitration consisting of His Excellency the Viceroy, His Highness the Nawab of Bhopal, and His Highness the Maharaja of Bikaner. Such a board of arbitration will be an impartial body which will have the confidence of the whole nation. I need not say anything about the qualifications of these gentlemen which are well-known to you. The only thing is that they are a disinterested party. One an Englishman, who has shown that he will stick to the last for bringing peace, and the other two although not members of British India, but who have always stood for fair play for the motherland.

As far as the Hindu-Moslem question is concerned there is very little difference in majority of the subjects in which the leaders of the two communities differ in Bengal. The only exception is the question of separate electorate. I think that separate electorate cannot be a permanent settlement. But I am sure that my Hindu friends will agree with me that with the present condition of the Muslim community in Bengal, the Mussalmans cannot accept joint electorate, and therefore they should agree to allow the Mussalmans to have separate electorate till such time when Muslims can feel safe and abandon it.

Sir, in conclusion, I would appeal to the leaders of both the communities to leave out prejudice and self-interest and settle this very important question on which depends the future prosperity of our motherland. Without the Hindu-Moslem settlement all the sacrifice that has been done by the sons and daughters of India will be in vain and Swaraj will be far away from our midst as it was at the beginning of the century.

Maharaja JAGADISH NATH RAY, of Dinajpur: Mr. President, Sir, as I belong to the class which for reasons more than one received the utmost pity during the last turmoil it is no mean privilege to me that I too have my share in the felicitations of to-day. Ours was a most inconvenient position—we were looked upon with suspicion on one side and treated with derision on the other. As for suffering, we had, in spite of all that, to bear our quota so far at least as the movement had its effect on the pecuniary position of the country, besides the frequent hartals that interfered no little with the collection of our rent on market-days in the mufassil. Among the many distressing circumstances that we have experienced in the meantime it did also come to my notice that many cowardly fellows occupying somewhat favourable positions took advantage of the situation to "feed fat" their personal grudge by maliciously implicating innocent men in serious charges calling for dire punishment. In any case, we must thank God that the "bugles sang truce" when things were only taking a more serious turn in Bengal, not to speak of the unrest and excitement that had affected almost all departments of life in India.

Sir, the most deplorable things, that occurred during the last twelve months, must, as is natural, rankle still in the breasts of many. And there is the one outstanding fact that while on the part of the Home authorities there is a distinct tendency to hold up the historic agreement as having altered the situation marvellously and improved the world position of the Empire considerably, neither all the provincial Governments here nor the Congress party as a whole seem to be so appreciative. The rank and file on both sides will find their occupations gone and will naturally smart under grievances. If the most responsible people on both sides do not therefore keep themselves always on the alert and try on either side to keep the over-zealous under leash there will be no dearth of happenings which may in their turn embitter the feelings of even the high contracting parties. The spirit of defiance on one side and licence and *carte blanche* on the other—although somewhat inevitable in such times of strife and struggle—will have to be controlled speedily now, if a quiet atmosphere is really desired, for the present, and if the temporary "truce" is to lead to permanent "peace".

Sir, I am not interested in an attempt at solving the unnecessary rider of Victory *vs.* Surrender, nor do I appreciate the demand of an

inquiry into excesses. Mr. Baldwin has characterised the Gandhi-Irwin Agreement as a victory of commonsense. Sure, there can be no question about that. But along with that we find in it also the triumph of truth, and three unmistakable things emerging out of it. First, it is unequivocally acknowledged by His Majesty's Government that Indians have genuine grievances against the present system of Government and they are determined at all costs to have them redressed; second, excesses are bound to be committed on both sides during a period of struggle; and third, that mutual understanding and goodwill are by far the best instruments for settling a dispute. Sir, it is on a proper realization of this triple truth that the whole future will depend. This must be recognised as the central pivot round which the wheels of administration should turn and the activities of the people also should be guided.

I am not an expert, Sir, in reading between the lines of any document. I do not also know if such exercising of the brain can profit the country in any way. My concern however is that the proposed departure of Lord Irwin from India, so soon after his statesmanlike move, may not again alter the situation so as to stiffen the reactionary attitude on all sides, and that the ruinous spirit of *zid* may not again overtake us all. The tardiness that is apparent in some quarters in bringing into action the terms of the Pact, does only lead colour to that view. It is, however, somewhat encouraging that Lord Willingdon has openly endorsed the policy of Lord Irwin and some of our provincial Governors too have already given proofs of their anxiety to meet public opinion. But the fact that, notwithstanding the speeches of the leaders of the different Parliamentary parties in England, we find the fortunes of India somewhat bound up with those of the Labour Government can never assure us of plain sailing always. It is being urged by people in the Press as well as on the platform that the Pact should be carried into practice to the letter and its spirit. I do not see any reason why the Government should not extend its generosity even beyond that. Let suspicion be allayed, and the talk of "keeping powder and shot ready and dry" will of itself subside. It is a pity that we cannot wholeheartedly include the provincial Governments also in the note of congratulation that we meet here to register to-day. Let us be given suitable opportunities to congratulate in chorus our own provincial Government and thus fill the cup of satisfaction to the full.

Sir, nothing succeeds like success. May the great success of the Delhi conversations of to-day lead to a still greater success of the Conference to-morrow.

Mr. NARENDRA KUMAR BASU: Sir, I am afraid I cannot subscribe to the resolution that has been moved by my friends, Messrs. Basu and Bose. The resolution professes to express its satisfaction at the results of the recent Delhi conversation. I think, Sir, that I should be failing in my duty if I did not tell you that, so far as Bengal is concerned

there is very little satisfaction over the results of these deliberations (Question!). Sir, we are not Congress men, we slipped in here because the Swarajists left these seats vacant: we came in by a fluke. We came here not by the decree of the Congress. Not that I belittle that great man, Mahatma Gandhi, and I do not yield to anyone in my admiration of the single-minded devotion of Lord Irwin. But because the head of the Congress came to certain agreement with Lord Irwin, that does not mean that there is every satisfaction in Bengal. I submit, Sir, if we are here for anything we are here to tell the truth. Let the Government know the true feeling in the country. We shall fail in our duty if we are to pass this resolution expressing satisfaction of the whole of Bengal. It seems to me that during this Conference between the two great men, Mahatma Gandhi and Lord Irwin, it was forgotten that there was such a place as Bengal; it was forgotten that the interests of Bengal had got to be looked after. To a certain extent it was due to our own fault. We have fallen from the high pedestal which we occupied before. We know that many of the advisers of both the eminent persons are actuated by any amount of jealousy and distrust of Bengal. It may be that on account of this the interest of Bengal has been neglected. However, Sir, whatever the reasons may be, we shall be failing in our duty if we do not register our views about the feeling in general in Bengal. The people of Bengal know what has led to the revulsion of feeling against the Government during the last 12 months. I speak of people who are not in any way connected with politics. Do they not know how the fair name of the British Government has been sunk in mire during the last few months?

5-45 p.m.

What are the reasons for which Bengalee feeling has been exasperated during the last 12 months? Firstly, there are the ordinances; secondly, the riots in Dacca, as well as the events after the lamentable murder of Mr. Lowman; thirdly, the Midnapore incidents; fourthly, the incidents at Calcutta; and fifthly, and lastly, the Criminal Law (Amendment) Act. So far as the ordinances are concerned, do we not know that these ordinances made conduct illegal which no self-respecting Government can possibly allow to be made illegal? Well, they did that, but they are now dead and I do not want to trouble the House with any further reference to them. *Requiescat inpace.* About the incidents at Dacca, was it not at Dacca that for the first time so far as Bengal is concerned various charges, including incitement to rioting, arson and other things, were freely brought against the local officers? That has been done for the first time in Bengal and what was the result? The result was an inquiry, an inquiry for whitewashing. Of all whitewashing and contemptible reports that has tarnished the name of the British Government in India, this report was easily first, and do you think that any report

of that description would allay any feeling? There were those charges brought against the police officers of violent treatment meted out to the medical students at Dacca after the murder of Mr. Lowman. I do not mean to say that these statements are true. But has there been any inquiry and so long as there has been no inquiry, can you possibly suggest as to why the public feeling should be allayed and there should be a calm atmosphere? Then take the Midnapore incidents. Here the feeling has been so much ruffled that the charges that have been openly made against an Indian Civil Servant, the gallant District Magistrate, were that he took personal share in assaults, arson, loot and other things. Was there any inquiry? No. A non-official inquiry was made by such an eminent man as the mover of the resolution. The public press was gagged by the press ordinance and Government promptly said that the report could not be published. The report of that inquiry was proscribed and the District Magistrate was invested with the Order of the Companion of the Indian Empire. Is that the way to allay public feeling? Even if there were hundred conversations between hundred Viceroys and hundred leaders it would not allay public feeling. Now, what about Calcutta? Has there been any explanation, any inquiry about the brutality on Calcutta students? I know some sort of an explanation has been submitted in the case of Mr. Subhas Chandra Bose. What was the explanation? It was that we had a compact with Mr. Subhas Chandra Bose and he chose to break that compact, and therefore we attempted to break his head. But that was an explanation which would not allay public feeling. Therefore, I say that in order to have an atmosphere of goodwill in Bengal it is necessary that these things should be inquired into. Then, lastly, the Criminal Law (Amendment) Act. We all know that when Sir Tej Bahadur Sapru made his appeal to the Prime Minister he asked for the release of all political prisoners. There was no reservation for people who had been interned under the Criminal Law (Amendment) Act. What the Prime Minister said was this: "If civil quiet is proclaimed and assured His Majesty's Government would certainly not be backward in responding to Sir Tej Bahadur Sapru's plea." Is the Government not aware that there are hundreds of families in Bengal who are mourning for their near and dear ones who have been thrust into jails? Speaking as a lawyer, I say that this lawless action of Government has infuriated and exasperated public opinion more than anything else. What is the reason for their incarceration? I say that these men have been imprisoned on mere suspicion. The police will say "we know who the offenders are; we cannot put them to trial, but we have our suspicion." The police make their report to Government. They are absolutely afraid of what might happen and as they are full of panic and therefore gullible, Government accept their report as gospel truth and intern these men. This is not the way to introduce goodwill. It has not done and it will not do so unless the Criminal Law (Amendment) Act is repealed. Therefore, I say that so far as Bengal is concerned, it

is much too early to think of expressing satisfaction at the result of the negotiations, and it would be downright falsehood to suggest to Government that an atmosphere of goodwill has been created.

Khan Bahadur Maulvi AZIZUL HAQUE: Sir, I am afraid that the resolution of Mr. Bose has been discussed in a manner as if a panacea of all evils has been found. I feel that too much attention has been paid to the details of the incident of breaking the head of Mr. Subhas Chandra Bose without going into real pathology of the case. To what are these troubles due? There has been in the past a certain amount of excess and over-zeal, and even want of caution on the part of many, but at the same time I feel that a little thinking will make it clear that after all a certain party, an important section of our countrymen, was definitely pledged to a policy of obstruction. That being so, any one who has not read like my friend Dr. Naresh Chandra Sen Gupta only ancient history, but has cared to pay attention to current politics will realise that the real remedy lies not in looking back into the old difficult situation but to see how things could be made possible safer and saner for the future. I have not read the discussions which have taken place at the Round Table Conference but have very carefully looked into the agreement arrived at between the Viceroy and Mahatma Gandhi. Suffice it to say that the whole standpoint has been to keep the past as a mere index of what has been public experience and efforts have been directed to think out a solution for the future in which the Hindus and Muslims, Indians and Europeans, and the different races can put their intellect in the solution of the future problems of the country. That has been the spirit in which this understanding, these negotiations have been carried on. I believe we will not be true to ourselves if we fail to realise that. It may be that so far as Bengal is concerned there are many details which have been left uncared for, but if the negotiations are accepted in their true spirit the future will be made safer for us. I think that is the spirit in which Mr. J. N. Basu sent in this resolution. We offer our congratulations not because we have got all but because we in common with other countrymen will be able to lead in future a better civic life. It is too late to cry that Bengal has lost her influence in the Imperial politics. When the partition agitation was started, when the partition was modified, and Calcutta ceased to be the centre of political India, this should have been thought of. But unfortunately the politics of those times was so saturated with a peculiar taint that the people forgot to look ahead and thought that the temporary loss to Bengal is a real gain to Bengal without foreseeing that the transfer of the Imperial capital must inevitably mean loss of Bengalee power so far as Imperial politics was concerned. I do not for a moment deny that there have been in the past events which tarred the good name of our country. The Hindu-Moslem riots which my friend Mr. Narendra Kumar Basu

thinks were due to the inspiration of Government—I do not think that that charge can be brought against Government. I repudiate that charge emphatically. I know, I have bitter personal experience and I do say that Government always did their level best to smooth the situation rather than create difficulties in times of communal clash. I can say from the experience of my own district that Government did their level best to keep things fair and square.

I will only reply to one point of Dr. Naresh Chandra Sen Gupta and that is why should we congratulate at the successful termination of the negotiations between Mahatma Gandhi and Lord Irwin when we have not taken part in those negotiations. I frankly admit that the Bengal situation has not been properly brought to the forefront with that amount of care and caution as it should have been. But does my friend want to treat Bengal as a separate entity or as a unit of the vast Indian Empire, so that it must stand or fall, gain or lose together with the other provinces. If that is the standpoint, then I think it is necessary for us to forget our own self-interest so that our larger gains may be achieved. The history of the last few years has been that although in the opinion of responsible politicians the pronouncement of Mr. Montagu meant a great advance for the country there were different parties in the country who by persistent opposition made constructive work impossible. This is amply proved in the proceedings of the Bengal Legislative Council. We have come to the Council more or less to deliver some speeches at the budget time or to put some supplementary questions at the question time. Beyond that our scope of activity has been very small.

6 p.m.

Much stress has been laid upon the debates in the Round Table Conference. But I will ask my friends to study the trend of public opinion in England. What was the public opinion in England just one year back and what it is to-day? My friends have undoubtedly read Mr. Baldwin's speech and I think that if the English politicians act up to the line indicated in that speech, it will be possible to solve the Indian problem within a few days. Sir, I feel one great achievement of the negotiations between Lord Irwin and Mahatma Gandhi has been a change in the British standpoint. I do submit respectfully that we should not look upon the negotiation from the provincial standpoint—not how it would affect one particular province or another—but we must assess the whole question from the standpoint of the whole of India. I fully support the resolution before the House and I say that I am satisfied with what has been done, while desiring that more should be done, and I believe that the telegrams exchanged between Mr. J. M. Sen Gupta and Mahatma Gandhi are indications that more will be done in future negotiations between the Government and the people. I think

that this goodwill also will prove to be a harbinger of a peaceful discussion between the Hindus and the Muhammadans of this country.

Babu JITENDRALAL BANNERJEE: I regret to say that I differ entirely from the sentiments and opinions of Mr. Narendra Kumar Basu. Mr. Basu has said that there is no satisfaction in the country over the Gandhi-Irwin agreement. Well, Sir, that is a matter of opinion. Mr. Basu says that there is no satisfaction; I say, on the other hand, that there is a very considerable amount of satisfaction—real, deep and genuine satisfaction in the country over the conclusion of the peace agreement. After all, for whom does Mr. Basu claim to speak? Certainly not on behalf of the Congress because the Working Committee, the accredited organ of the Congress, has ratified the agreement wholeheartedly. Then whom was he speaking for? Was it on behalf of the Muhammadans? Or was it, by any chance, on behalf of the non-official Europeans? Sir, these latter may have some ground for dissatisfaction; but so far as India is concerned, every patriotic son of the country has ample reason to be satisfied with an agreement which, for the first time, recognizes the international status of India. I shall try to make good my position presently. In the meantime, I would only point out to Mr. Basu that, within the last week, there have been half-a-dozen immense meetings in Calcutta; and at all these meetings resolutions have been unanimously adopted expressing the country's deep gratification at the conclusion of the agreement between Mahatma Gandhi and Lord Irwin. If Mr. Basu denies that there is satisfaction over the agreement, why couldn't he have attended these meetings and tried to express his views there? If there is any dissatisfied section in the Province, why couldn't that section make its voice felt at these meetings? (A VOICE—Not dissatisfaction, but humiliation. Cries of "Order, order.")

I know how to deal with these interruptions (laughter). Dissatisfaction, humiliation! Sir, these are mere words with no substance of genuine feeling behind them. Otherwise, I should like to ask where the feeling of humiliation comes in. Of course, if you proceed in a captious, carping spirit, it is easy to pick holes in the agreement or any other agreement that has been or may be concluded in this world. It may be said, "picketing has been given up; it is to continue—but not in an aggressive form, which means the death of picketing." It may be said, "boycott of foreign goods has been given up; it may be continued—but again not in an aggressive form." And of course it may be always urged—what is indeed a sore point with many—that the inquiry into police excesses has been given up. Sir, I freely admit that all this is a great price to have been paid, but it was paid in a great cause—the cause of peace and permanent understanding. Meanwhile, I would ask my friends to brush away all minor

considerations from the mind and fix their attention upon the cardinal—the central feature of the whole thing. And what is that central and cardinal fact? It is that, for the first time in the long history of ages, India was entering into political negotiation with a great international power on terms of perfect equality and honour. Mr. J. N. Basu has said that the agreement is a unique one. I agree. But when he says that the uniqueness of the thing lies in this, that there should be an agreement between the head of the British Government and the head of a political party in India, I entirely disagree. It is not a question of a petty agreement between the head of a Government and the leader of a political party—of one political party among many others. I look upon it as an agreement, not between two persons, however powerful or eminent they may be, but between two great countries, two mighty nations—between India, represented by Mahatma Gandhi, not representing the Congress only or the Hindus only but the whole of India, India solid as a rock behind him—yea, between India on the one hand and the British Empire as represented by Lord Irwin on the other. Lord Irwin was there, not as the titular head of the British bureaucracy in India; he was there as representing the might and the majesty of Great Britain. Think of it again, and in this light! On the one hand, the representative of the British Empire; on the other, the representative of India—India impoverished and humiliated so long, discrowned and dispossessed so long, but now at last coming into her own again. The "naked *fakir*"—I thank Mr. Winston Churchill for the phrase—the "naked *fakir*" striding up the steps of Government House was the soul and symbol of India itself—the India of the hermitage, the India of asceticism, the India of poverty of the body, and of deep wealth of the spirit, yea, of all that India stands and has stood for in the long procession of the centuries. And here, and now for the first time after many ages, was India recognized in the person of Mahatma Gandhi? Sir, we are told that there is rejoicing in the household when a man-child is born. And should there not be rejoicing in the comity of nations when a new nation first emerges into the field of consciousness—when a new Dominion or a new Free State is born? Should not there be rejoicing and thanksgiving everywhere? And does this great and marvellous fact give rise to a sense of humiliation only in the mind of Mr. Shanti Shekhareswar Ray? If so, that mind must be peculiarly constituted indeed!

Sir, this is not to say that we do not press our point about the release of persons who are still kept in detention. Our heart bleeds for them; and when we are about to start a new chapter, when we are about to bring peace into the land, I hope we shall be able to welcome them back in our midst, to our hearts and homes. The reasons I shall urge in support of this step will be short, but I think they ought to be sufficient. The men who defied the Government, who openly expressed

their contempt for law and their condemnation of the present system of Government, have been released in pursuance of the terms of the agreement. Does it not stand to reason then that the detenus should be released as well? If it is a fact that the released prisoners are sincerely carrying out their share of the bargain, does it not stand to reason that the detenus, if released, would carry out the provisions of the agreement in the same spirit of sincere and helpful co-operation? Should not the Government be equally liberal in the case of men—hundreds of them—who are still detained—in the case of men who are being detained without charge formulated, without evidence put forward, without trial held, without sentence passed—men detained on mere suspicion? If the case for the release of political prisoners is strong, the case for release of the detenus is far stronger; and certainly the Government will not have the peace it desires unless these detenus are released. This is not a threat or menace; it is a mere statement of fact. The mere agreement of Lord Irwin and Mahatma Gandhi cannot cover all these points. That agreement will have to be implemented all over and throughout the country by thousands of persons who were no parties to it originally—by the Provincial Governments, the heads thereof, and by members of British bureaucracy: and much, perhaps everything, will depend upon the spirit in which the terms of the agreement are carried out. Sir, the British bureaucracy in India are too apt to forget many things, they are too apt to stand upon their dignity: but I hope they will remember the great declaration in Mr. Baldwin's recent speech where he said that he would give what he had to give in "no spirit of niggardliness." If they remember and act up to the spirit of this declaration, all will be well, and there will be peace in the country—a lasting and honourable peace.

There is another argument of overwhelming force for the release of the detenus. What is it that has led you to release the thousands of political prisoners who were, till lately, confined in the jails of India? You believe, you must believe, that there is now an atmosphere of peace and goodwill in the country; and you want this new atmosphere of peace and goodwill to play upon these young men also. Act logically; behave in the same spirit towards the detenus, and the results will be wonderful. The atmosphere of peace and goodwill now prevailing in the country will act freely upon the four hundred young men still detained at Hijli and Buxa and the other detention camps of the province: it will inspire them with new ambitions and new aspirations; it will lead them away from the paths of destruction and launch them upon a career of fruitful construction. They are in the prime of life, they are in the full vigour of youth and manhood. Do not, for God's sake, cut them off from the path of useful and honourable endeavour. Let them come out to the open air of the day. Let them be

free. But more. Let them take their fair share in the service of the motherland—a privilege from which you are now keeping them back unjustly, unnecessarily, illegally.

Sir, I repeat that I feel more than most people for these detenus, and, so far as in me lies, I shall never cease to press and struggle for their release. That, however, does not take away from our feeling of rejoicing and thankfulness at the concluded agreement between Mahatma Gandhi and Lord Irwin. And here I must take leave to say that it would not have been possible for any other two persons in the world to have concluded such an agreement as this. No other Englishman but Lord Irwin could have done it, and no other Indian than Mahatma Gandhi could have done it. Lord Irwin could do it because of the noble sincerity of his character and the noble rectitude of his purposes. Mahatma Gandhi could do it because in him, more than in any other living man, is united the hope, the spirit and the throbbing aspiration of India. Lord Irwin could do it because behind him there was the strength that comes to a great man fighting in a great and just cause. Mahatma Gandhi could do it because behind him was a united people's united force of endeavour. And the thanks and gratitude of united India must go forth in an abundant and overflowing measure to these two—to these two and one other. Sir, throughout these transactions, nothing has impressed me with a feeling of greater admiration than the conduct of Mr. Stanley Baldwin, the present leader of the Conservative Party. The transparent sincerity of his intention, the noble simplicity of his speech, the courageous frankness with which he has enunciated the policy of himself and his party have been beyond all praise. And it speaks much for the resiliency of the British national character that, even in these decadent days, it can throw out two such great gentlemen as Lord Irwin of Kirby and Mr. Stanley Baldwin—men stamped with the hall-mark of Nature's nobility. Whatever my friends may think or say, I believe that the dawn of our freedom has begun, the foundation of the temple of liberty has been well and truly laid. Stone by stone, it will rise—the gracious fabric of our visions, fair in the light of day, high and heaven-soaring as our ideals, far-flung and broad of wing so as to shelter countless generations of our countrymen for ages and ages to come. (Loud applause.)

[At 6-15 p.m. the Council was adjourned for prayer and it reassembled at 6-30 p.m.]

Maulvi ABUL KASEM: Sir, it is my misfortune, and I deeply regret it, that I cannot join in the general chorus of approval and congratulation that have been passed on the high and mighty personages who have been a party to the so-called truce or agreement that has been brought about at Delhi. Praises have been sung not only from every quarter of India but even overseas, and I am afraid that it

is a rash act on my part to raise a discordant voice in the midst of this harmony of peace. But if I have ventured to do so, it is because I feel that even in politics there are times when one should speak out his own convictions or opinions frankly and honestly without fear or favour and irrespective of consequences.

Sir, I am one of those who do not believe that the policy of Mr. Gandhi or the methods he has adopted to carry out that policy are for the good of the country or are in the best interest of the land. I may be right or I may be wrong, but holding that opinion as I still do, I believe that this settlement arrived at between Mr. Gandhi with the best of intentions and by the broad statesmanship of Lord Irwin will have a demoralising effect on the people of India. For it would mean that civil disobedience movement, law-breaking and disobedience of law and authority—these are things by which Government can be made to look at the people's point of view properly, or that these are matters which Government should tolerate. Sir, we have heard a good deal shouted from house tops about non-violence, but we know from experience that this policy of Mr. Gandhi has been found repeatedly to have led to violence and violence has been a recurring evil in this connection. We have heard of *ahimsa* or non-hatred and many other similar Sanskrit or Greek words of which I do not know the meaning, but I submit that every one who thinks of this matter will agree with me that the whole movement has been based not only on an intense hatred of the foreign rulers of the land but also of people who do not happen to agree with the Congress politics of the present day. Sir, we have heard that this agreement has produced a very good impression even in Delhi. It may have pleased all sections and it may have for the time being helped to bring quiet and calm into the political atmosphere of India, but, Sir, it will not have a lasting effect because it will drag the people into lawlessness again. It will also play upon the credulity and innocence of the masses and the enthusiasm of impressionable youths of this country which is likely to lead to breach of peace and commission of violence which it will be impossible for the Congress leaders to allay. There are signs already appearing that the leaders of the Congress will be paid back in their own coin, but that is another matter.

My friend, Mr. Narendra Kumar Basu, complains that we cannot agree to the resolution because Bengal has been ignored. I say, Sir, that we are nervous about this resolution or, as a matter of fact, nervous about any settlement because we believe that Moslems have been thoroughly ignored. I want it to be clearly understood that we shall be no party to any compromise or agreement of peace or settlement unless we are assured and convinced that the rights and privileges and interests of the Mussalmans in this country are properly and duly safeguarded.

Sir, we have heard a good deal about Hindu-Moslem unity, but that is a mere pious expression of opinion and so far no practical steps have been taken to solve this problem, and the great men who sat at Delhi together to arrive at an agreement did not consider this aspect of the question. Sir, I have very little time at my disposal and I am afraid I cannot fully express myself. But I want it to be clearly understood that it matters very little whether we are ruled by a foreign Bureaucracy or not, but so long as the position of Mussalmans is not safe and they are not allowed to live in this country as citizens and respectable citizens, we shall not be a party to any compromise, but on the other hand, in the absence of reasonable terms of peace, we will make it impossible for any Government to continue unless that Government gives us what we want.

The Hon'ble Mr. W. D. R. PRENTICE: At the beginning of this session when speaking on Mr. S. M. Bose's motion regarding the declaration of policy made by the Premier at the Round Table Conference, I appealed for the cordial co-operation of all sections of the community in working out the details of the scheme outlined by the Premier, and more specially of that large section of the community which had up till then adopted the policy of non-co-operation. I am now in the fortunate position of being able on behalf of Government to support a motion, which hails the end of non-co-operation by expressing this Council's satisfaction at the successful conclusion of the recent conversations between His Excellency Lord Irwin and Mr. Gandhi, and offers its congratulations to them and to other peace-makers who have worked for the cessation of strife. I am not going to follow Mr. J. N. Basu into his historical summary of past years or of events preceding the recent settlement. I am going to confine my remarks to that alone and what follows therefrom. For this settlement not only marks the cessation of strife, but provides for the participation of the representatives of the Congress in the further discussions that are to take place on the scheme of constitutional reform. I am perfectly certain that all but a few members of this Council recognise with thankfulness the great change which this agreement has brought about in the condition of the country and appreciate the fact that it opens the door to a fuller and freer discussion of the difficult and all-important problems which have to be solved before, as stated in Rai Dr. Haridhan Dutt Bahadur's motion, India can take her proper place amongst the free nations of the world.

On that previous occasion I promised that given the opportunity Government would do all they possibly could to co-operate both inside and outside the Council with those who were working towards the fruition of the Premier's declaration. In the new conditions brought about by the recent agreement, I can only repeat that undertaking, and add that whereas in the past Government and their officers have had to

devote a large portion of their time and energy to countering the forces of obstruction and destruction, they are now freer to deal with constructive work and can press on with undivided energy towards the attainment of the goal which was announced by the Prime Minister at the adjournment of the Round Table Conference. At the same time I would appeal to the members of this Council and through them to the people of Bengal to credit Government with the intention of honestly carrying out this pledge and not to make the situation more difficult than it might be by imputing to Government and its officers motives of which they are entirely innocent. In the answer I gave to the short-notice question at the beginning of to-day's proceedings, I explained the action that was taken by Government to implement and carry out loyally the policy of the Government of India. I hope and believe that most of the members of the Council are now satisfied that the allegations, which have been made outside the Council, that Government have been endangering the success of the agreement by failing loyally to carry it out, are entirely unfounded. On behalf of Government I can unhesitatingly declare that everything has been and is being done to dispose as quickly as possible of the very considerable amount of detail which is involved in carrying out the various portions of the agreement. For they recognise that speed is not only desirable but essential.

As regards the case of Babu Bipin Bihari Ganguly referred to by Dr. Sen Gupta, I have called for the papers and shall examine them without delay.

I do not know whether Mr. N. K. Basu expects his speech to be taken seriously. I can assure him that he has once more succeeded in making it clear that in his opinion every allegation against the executive officers and the police in Bengal is *primâ facie* true. I doubt if that is his professional attitude towards his numerous clients. But even if it is, obviously Government cannot possibly accept his view. I do not propose to discuss the incidents he has referred to. No doubt we shall hear of them more than once during the remainder of the session.

But I must refer to his complaint that Government have not followed up the agreement by a general release of detenus. I would remind the Council that in the words of paragraph 4 of the statement issued by the Governor-General in Council, the settlement relates to activities directly connected with the civil disobedience movement. It does not relate to the detenus at all. I have seen the case of every person detained under the Bengal Criminal Law Amendment Act—indeed no final orders are issued in any such case without my personal approval—and I can assure the Council that there is not a single person detained under the Bengal Criminal Law Amendment Act for his political activities or in connection with civil disobedience. The

Bengal Criminal Law Amendment Act does not, and was never intended to, refer to such activities, and I can assure the Council that it is in no case being used for such a purpose, and that all persons detained at present under its provisions are outside the scope of the agreement.

I do not propose to-day to discuss the reasons for the action taken under this Act. I shall do that on a later occasion. To-day I can only say that at present Government would not be discharging their responsibility for the safety of the province, did it not use the powers deliberately given to it by this Council in August last year. As soon as the present perils have disappeared, Government will act in no niggardly spirit. But at present such a course is not open to them, owing to conditions over which they have no control.

And now that we are engaged in discussing, and I trust will soon pass, unanimously one of these motions of congratulation for what is past and of good hope for the future, may I appeal to members of this Council, in the words of a friend of mine, "to let bygones be has-beens," and to have regard to the considerations which according to paragraph 8 of the statement issued by the Governor-General in Council led Mr. Gandhi not to press the matter of an inquiry? We have told our officers to have a blind eye and a deaf ear to allegations about excesses on the part of supporters of civil disobedience, and to give things a chance of settling down. And I would appeal to all members of Council and especially to those who can believe nothing good about Government officers or the police, to put a similar restraint on themselves, and to do their share towards establishing the atmosphere of good-will that is so desirable at the present time, and will be infinitely more important when full responsible government is introduced in the province. For the officers and men who have served Government so loyally and well in the past, will be the officers and men to whom the Government of the future has to look and on whom it must depend if it is to function successfully. And I submit that it is well worth the while—nay rather the bounden duty—of those, who look forward to be in effective charge of the administration in the future, to see that when the transfer comes about, all the servants of Government shall have full confidence in the fairmindedness of their future chiefs, and shall not be apprehensive of the treatment they may receive in the future for their loyalty to Government in the past. Mutual esteem and trust and good-will will be even more important then than now.

Mr. J. N. Basu in his motion refers to the work that still remains to be done at the Round Table Conference. The speech of the Secretary of State in the recent debate in Parliament has made it clear to all of us that there is no intention of allowing the work already done at the Round Table Conference to lapse, or of delaying indefinitely the further steps that have to be taken to bring its deliberations to a successful and practical conclusion.

6-45 p.m.

But as I pointed out on a previous occasion, much of the work that remains to be done is work which devolves not upon Government but on the leaders of various communities. That includes what might almost be described as the fundamental problem in Bengal. I mean the communal problem. For on its early and satisfactory solution depends, in my opinion, very largely the success of the future administrative system. An appeal has already been circulated by one member of this Council for an agreement between the two great communities, and I hope that at no distant date the leaders, both all-Indian and provincial, of the communities will get together and in a spirit of give and take and of honourable and friendly co-operation arrive at a lasting and satisfactory solution of the problem, which all of us recognise to be one of the great obstacles in the way of responsible self-government, especially, may I say, in this province. As I said before, Government will do all they can to help, but they consider that the solution must come, first from an agreement between the leaders, and next from a willingness of the communities themselves to support and carry out any agreement at which the leaders may arrive.

There are other important problems to be solved, all of which bristle with difficulties. But I do not propose to touch upon them to-day. All I desire to say before I sit down is that if the work that still remains to be done is tackled in a spirit of friendly co-operation, with a single-eyed devotion to the interests of India as a whole and not of any section or class or community, then we can look forward with every confidence to the early attainment of that goal when, in the words of Rai Dr. Haridhan Dutt Bahadur's motion, India will take her proper place amongst the free nations of the world.

The following motion of Babu Jatindra Nath Basu was then put and agreed to:—

"This Council expresses its satisfaction at the successful conclusion of the recent conversations between His Excellency Lord Irwin and Mr. Gandhi and offers its congratulations to them and to other peace-makers who have worked for the cessation of strife and for bringing about an atmosphere of good-will so that the work that still remains to be done at the Round Table Conference may be successfully and satisfactorily accomplished."

The motion of Rai Dr. Haridhan Dutt Bahadur was then, by leave of the Council, withdrawn.

Adjournment.

The Council was then adjourned till 3 p.m., on Tuesday, the 17th March, 1931, at the Council House, Calcutta.

Proceedings of the Bengal Legislative Council assembled under the provisions of the Government of India Act.

THE COUNCIL met in the Council Chamber in the Council House, Calcutta, on Tuesday, the 17th March, 1931, at 3 p.m.

Present:

Mr. President (the Hon'ble Raja Sir MANMATHA NATH RAY CHAUDHURI, KT., of Santosh) in the Chair, the four Hon'ble Members of the Executive Council, the three Hon'ble Ministers and 106 nominated and elected members.

Oath or affirmation.

The following member made an oath of his allegiance to the Crown:—

Mr. K. F. G. STRONACH.

Starred Questions
(to which oral answers were given).

Admission of students into Bogra Zilla School.

*147. **Dr. JOGENDRA CHANDRA CHAUDHURI:** (*a*) Is the Hon'ble Minister in charge of the Education Department aware that in the Bogra Zilla School admissions are made on communal basis?

(*b*) If the answer to (*a*) is in the affirmative, will the Hon'ble Minister be pleased to state the reasons therefor?

(*c*) Is the Hon'ble Minister aware that in none of the 15 non-Government high English schools in the district of Bogra are admissions made on communal basis?

(*d*) Are the Government considering the desirability of discontinuing the practice in the said Government school?

MINISTER in charge of EDUCATION DEPARTMENT (the Hon'ble Mr. Khwaja Nazimuddin): (*a*) No: but 60 per cent. of the seats are reserved for Mussalmans to encourage education amongst them.

(*b*) Does not arise.

(c) Government have no information beyond the fact that for most aided schools in the district percentages are reserved for Moslems.

(d) Government propose making no change in the existing practice.

Mr. SHANTI SHEKHARESWAR RAY: Will the Hon'ble Minister be pleased to state in how many Government schools in Bengal seats have been reserved for Hindus?

The Hon'ble Mr. KHWAJA NAZIMUDDIN: I want notice of this.

Grant to the Calcutta University.

*148. **Mr. SYAMAPROSAD MOOKERJEE:** (a) Will the Hon'ble Minister in charge of the Education Department be pleased to state what decision the Government have arrived at in connection with the application for financial assistance made by the Calcutta University for—

(i) 1930-31; and

(ii) future years?

(b) Is the Hon'ble Minister aware that on account of the delay in deciding the question of financial assistance, the University had to reappoint its teachers for a short period of five months only ending 31st May, 1931?

The Hon'ble Mr. KHWAJA NAZIMUDDIN: (a) (i) Government have already paid a grant of Rs. 2,43,000 for the year 1930-31 and have recently sanctioned a further sum of Rs. 1,57,000 for that year.

(ii) The question of a future recurring grant will be considered after receipt of the report of a Committee Government have suggested should be appointed.

(b) Government are aware that the University has reappointed certain teachers up to the 31st May, 1931.

Maulvi ABUL KASEM: Will the Hon'ble Minister be pleased to state how this grant of Rs. 1,57,000 has been met, whether with the sanction of the legislature?

The Hon'ble Mr. KHWAJA NAZIMUDDIN: By reappropriation.

Unstarred Questions

(answers to which were laid on the table).

Number of Hindu and Muhammadan students in schools.

94. Seth HUNUMAN PROSAD PODDAR: Will the Hon'ble Minister in charge of the Education Department be pleased to lay on the table a statement showing—

(*i*) the present number of students reading in primary schools—(*1*) Hindu, (*2*) Muhammadan;

(*ii*) the present number of students reading in middle schools—(*1*) Hindu, (*2*) Muhammadan;

(*iii*) the present number of students reading in high English schools—(*1*) Hindu, (*2*) Muhammadan;

(*iv*) the present number of schools for boys of the backward communities aided by Government; and

(*v*) the present number of maktabs, madrasahs, etc., for the Muhammadan students aided by Government?

The Hon'ble Mr. KHWAJA NAZIMUDDIN: A statement is laid on the table.

Statement referred to in the answer to unstarred question No. 94.

(*i*), (*ii*) and (*iii*) The present number of students reading in—

Primary schools—

(*1*) Hindu—953,791.

(*2*) Muhammadan—1,091,106.

Middle schools—

(*1*) Hindu—121,481.

(*2*) Muhammadan—57,421.

High English schools—

(*1*) Hindu—220,209.

(*2*) Muhammadan—47,112.

(*iv*) The present number of schools for boys of the backward communities aided by Government—2,135.

(*v*) The present number of maktabs, madrasahs, etc., for Muhammadan students aided by Government—19,761.

Rai Bahadur KESHAB CHANDRA BANERJI: Will the Hon'ble Minister be pleased to state the present number of students of the backward communities reading in such schools?

The Hon'ble Mr. KHWAJA NAZIMUDDIN: I want notice.

Ahsanullah School of Engineering, Dacca.

95. Rai Sahib REBATI MOHAN SARKER: (*a*) Will the Hon'ble Minister in charge of the Education Department be pleased to state the reasons why the six junior members of the mistry staff of the Ahsanullah School of Engineering, Dacca, were made permanent in preference to the head mistries?

(*b*) Is the Hon'ble Minister aware of the feeling of discontent amongst the senior staff in spite of the administrative approval to increase the scales of their pay?

(*c*) Does the Hon'ble Minister propose to take any step for the removal of the grievances of the head mistries? If so, when?

The Hon'ble Mr. KHWAJA NAZIMUDDIN: (*a*) Temporary schemes including these six posts were permanently sanctioned and on receipt of orders of sanction, these posts were treated as permanent. The remaining posts were unaffected by the above orders and continued to be temporary.

(*b*) Government have no particular information.

(*c*) Proposals for increasing their pay are under consideration and in any case could not be sanctioned until funds become available. No further steps are proposed.

Khan Bahadur Maulvi AZIZUL HAQUE: Will the Hon'ble Minister be pleased to state how are temporary schemes permanently sanctioned?

The Hon'ble Mr. KHWAJA NAZIMUDDIN: Since the posts have been permanently sanctioned they cease to be temporary now. Temporary schemes have changed into permanent schemes now.

Certificate under proviso (a) to section 72D (2) of the Government of India Act.

The Hon'ble Mr. A. MARR: Sir, in accordance with the provisions of section 92 of the Bengal Legislative Council Rules and Standing Orders, I beg to lay on the table a statement showing the action taken by the local Government and by His Excellency the Governor under section 72D (*2*) of the Government of India Act since the last session.

A token demand of rupee one having been refused by the Council under the head "25.—Jails and Convict Settlements" for expenditure involved in maintaining and guarding the excess jail population in the new temporary Additional Special Jail, Dum Dum; Special Jail, Berhampore; Special Jail, Hijli, Additional Special Jail, Hijli, and the Additional Sub-Jail, Alipur Duars, His Excellency the Governor has certified under proviso (*a*) to section 72D (*2*) of the Government of India Act that the expenditure provided for by the demand is essential to the discharge of his responsibility for the subject. The Government of Bengal, therefore, direct that the above demand should be treated as if it had been assented to by the Legislative Council.

Certificate.

I hereby certify that the expenditure (*viz.*, Rs. 4,30,000 which is included in the supplementary grant of Rs. 10,43,500 voted by the Council on the 11th of August, 1930, under the head "25.—Jails and Convict Settlements") required for the maintenance and guarding of the excess jail population in the new temporary Additional Special Jail, Dum Dum; Special Jail, Berhampore; Special Jail, Hijli; Additional Special Jail, Hijli, and the Additional Sub-Jail, Alipur Duars, and for which a demand for a token grant of Re. 1 under the head "25.—Jails and Convict Settlements" was made in the Legislative Council on the 11th February, 1931, is essential to the discharge of my responsibility for the subject.

(Sd.) F. STANLEY JACKSON,

Governor of Bengal.

CALCUTTA:

The 13th March, 1931.

Budget grants of the Government of Bengal for 1931-32.

Demands for Grants.

5.—Land Revenue.

The Hon'ble Sir PROVASH CHUNDER MITTER: On the recommendation of His Excellency the Governor, I beg to move that a sum of Rs. 41,11,000 be granted for expenditure under the head "5.—Land Revenue."

MUNINDRA DEB RAI MAHASAI: I beg to move that the demand for Rs. 1,20,000 under the head "5A.—Charges of Administration—Land Acquisition Establishment—Pay of Establishment" be reduced by Rs. 50 (delay in Land Acquisition Proceedings with special reference to the acquisition of land for the proposed charitable dispensary at Bansberia).

Sir, the object of this motion is to draw the attention of my Hon'ble friend Sir Provash to the delay which usually occurs in the acquisition of lands under the Land Acquisition Act. Land is generally acquired, as you all know, for public purposes—the sooner it is acquired, the better for the early accomplishment of the object for which it is acquired. The enthusiasm with which any public project financed by private individuals is undertaken, gradually wanes away at the unusual dilatoriness of the land acquisition proceedings. Government in this country is very slow to move. Everything has to come through many unnecessary forwarding channels. Simplicity of procedure is unknown here—hence the huge waste of public funds in the administration of the country. For anybody who has cared to visit Italy must have been struck with wonder at the electric rapidity with which official business of every department of the State is being transacted under the direction of that great man—Mussolini. There is no duplication or triplication of business. In the United States of America, official business is transacted with the utmost rapidity—things which would at least take six months here are generally finished there in the course of a fortnight or so. Such is also the State efficiency of our Eastern neighbour—Japan. They have always an eye to simplification but in this country, the official tendency is to complicate matters and extend it to an inordinate length of time. Some of the existing laws instead of aiming at simplification have helped to increase complexities—the Land Acquisition Act being one of them. It is unfortunate that with so many administrators at the helm of affairs, the efficiency of the machinery of Government has not shown signs of improvement. The popular saying "too many cooks spoil the broth" or rather *"anek sanyasitey gajan nasta"* can fittingly be applied to our top-heavy administration.

The cut and dried official reply to this would be, I suppose, that the law is there, they are here to administer it and so long as that law stands, it has got to be administered. To this my reply would be that the function of the administrator does not rest with the administration of the law alone as it stands but also includes other things as, for instance, to note in the course of its administration, defects of the law as well and try to have it rectified and adapted to the changing spirit of the times. I do not find any reason why one should tag himself to a slow machine rather than make any attempt to have its speed accelerated. The better course would be, I suppose, either to refuse to work it or to make every endeavour to have it overhauled.

Sir, I fully realise that there are certain difficulties involved in the land acquisition proceedings. Of course, various things have got to be considered. Notices have to be served on the parties interested in the land, their claims have to be settled, objections have to be heard, decisions have to be arrived at, apportionment to different interests have to be adjusted and many such things have to be done which may occupy a good length of time, but I do not think it should take more than six months at the latest. If the present law does not help in the speedy disposal of business, the law should be amended and the administrative machinery to be adjusted accordingly. If the amendment of the law in question be not within the cognisance of the local Government, it can, I believe, recommend for its amendment where it thinks necessary to the authorities concerned. Sir, you will agree with me that in these days of hard economic stress, it is very difficult to induce people to unloose their purse strings for any object, however laudable it might be. In those years in which there was no deficit budget, Government hardly found money enough to supplement private contributions with grants for their furtherance. If anybody took the initiative in any work of public utility, the Government might not help it financially, but there was no harm in extending its sympathy, co-operation and encouragement. Sir, I fail to understand why Government should indirectly stand in the way of its accomplishment by adopting a dilatory course. I should like to cite here an instance to the point. Sir, there is one charitable dispensary at the northern end of the Bansberia Municipality for which the municipality has provided two beds during the current year over and above its annual grant. The want of another charitable dispensary was keenly felt by the people living in the southern section of the town. In 1927, I had a talk on the subject with a fellow townsman of mine, Babu Rambulluv Nandan, who had inherited a fortune, he readily agreed to provide for a charitable dispensary in his ward. His proposal was submitted to the District Magistrate in April, 1928, and a plan followed later on. After some correspondence for about two years, Rs. 45,000 was deposited with the Collector in 5 per cent. Government promissory notes and subsequently another Rs. 10,000 was deposited with him for the

purpose of maintaining a passed midwife at the dispensary. About a year ago, the District Magistrate asked me in my capacity as the Chairman of the Bansberia Municipality to send him a formal proposal with a plan of the plot for acquisition of land for the proposed dispensary which I promptly submitted. It is unfortunate that although a year is about to elapse, the matter has not made any appreciable progress. If the work is not taken in hand during the lifetime of the donor, there was some likelihood of the deposit being withdrawn by his successor. I should, therefore, like to ask the Hon'ble Member to kindly expedite the matter and thereby help the early materialisation of a work of great public utility in the locality.

The Hon'ble Sir PROVASH CHUNDER MITTER: With the object of getting an alleged local grievance remedied I am afraid Munindra Deb Rai Mahasai has followed a procedure which, to my mind, is not the right one. We got notice of this in the Revenue Department on Saturday morning. We at once sent a telegram to Hooghly and we have not yet been able to find out the exact position there. We can safely say that there has been no delay. As is well known to members of this House, at any rate to members who have been here for a considerable time, the Land Acquisition Department is not the initiating department. Any department which requires land to be acquired, whether the Local Self-Government or any other, are authorised to move the Land Acquisition Department to set the machinery of the Act in motion. A proposal like this, therefore, came to the Local Self-Government Department. That proposal was submitted to the Revenue Department and soon after it was submitted I find that a notice under section 4 of the Land Acquisition Act was published in the *Calcutta Gazette* on the 2nd October, 1930, but the Land Acquisition Act provides, under section 5A: (*1*) that any person interested in the land notified under section 4, sub-section (*1*), as being needed or likely to be needed for a public purpose or for a company may, within thirty days after the issue of the notification, object to the acquisition of the land or of any land in the locality, as the case may be. (*2*) Every objection under sub-section (*1*) shall be made to the Collector in writing and the Collector shall give the objector opportunity of being heard either in person or by pleader and shall, after hearing all such objections and after making such further inquiry, if any, as he thinks necessary, submit the case for the decision of the local Government together with the record of the proceedings held by him and a report containing his recommendations on the objections. The decision of the local Government shall be final.

Now, Sir, section 5A is a new section. It was embodied in the Land Acquisition Act, at the instance of some non-officials, it did not appear in any part of the original Land Acquisition Act. The object was to give the person whose land was being compulsorily acquired an

opportunity to be heard in the matter. Now I cannot understand Rai Mahasai's grievance. Look at the other side of the question. You want to compulsorily acquire somebody's land and that somebody has a statutory right to put in his objection. Surely from October, 1930, to the present day not much time has been wasted. The objector had one month's time merely to put in his objection. After he put in his objection, he might reasonably require a month or more to adduce evidence. Then a time will be fixed to put a hearing. Then the Collector will make his report. This is a procedure which the Land Acquisition Act provides. So in this particular case, whatever his general grievances about delays of Government may be, and I agree that there may sometimes be some delay, in this particular case the Rai Mahasai has put in a very weak case indeed. In this case I submit that there was no delay and even if there was some delay I submit that there is no justification to ask the House to reduce the grant of the whole department because of certain exparte statements of one single case. I may also inform the House that the Secretary asked the Rai Mahasai for details. No details were forthcoming. I say this is not the way we expect the business of the House to be carried on. If Rai Mahasai had forwarded details I might have been able to do something about his particular grievance. On the other hand if he had written or seen the Secretary of the Revenue Department he could have got matters expedited. But to bring in a motion under this head for reduction of the whole grant I submit is not dealing seriously with the House.

The motion of Munindra Deb Rai Mahasai was then put and lost.

The following motion was called but not moved:—

Maulvi ABDUL HAMID SHAH: "That the demand of Rs. 38,000 under the head '5A.—Charge of Administration—Ward's Estates Establishment' (page 30, Civil Estimate) be reduced by Rs. 500 (to draw attention to the necessity of a judicial inquiry to decide the claim of the Modhyam Kumar of Bhawal Raj Estate)."

Maulvi TAMIZUDDIN KHAN: I beg to move—

that the demand of Rs. 90,000 under head "5A.—Charges of Administration—Road Cess, Valuation and Revaluation Establishment —Temporary Establishment" be refused; and

that the demand of Rs. 90,000 under the head "5A.—Charges of Administration—Road Cess, Valuation and Revaluation Establishment —Temporary Establishment" be reduced by Re. 1 (to draw attention to the undesirability of continuing this establishment in the face of the widespread distress prevailing in the country).

As regards the first motion I have tabled this in view of the widespread distress prevailing in the country and the necessity of holding in abeyance the revaluation that is going on in several districts. Every one knows that the country is passing through an economic crisis. It seems to me strange that in the face of this distress these revaluation proceedings are going on. I think the members of this House who have any experience of the revaluation proceedings will bear me out that the whole district is astir when such valuation goes on. The people are required to submit returns and as every one knows, Sir, the majority of them being illiterate they have to seek the help of some clerks or muktears at the district headquarters for the submission of these returns. They are subjected to various hardships and in these days of economic stress these hardships are almost too much for the cultivators and other people to bear. In my district, for instance (the district of Faridpur) revaluation proceedings are going on, and there, although the people are in great distress, they have to come in large numbers to the district headquarters for the submission of returns. From my own personal experience I can say that clerks and other persons who work as some sort of touts at the headquarters have been earning for the last few months something like Rs. 100 to Rs. 200 a month on account of these proceedings. They seem to be the only people who are benefiting by these proceedings. Not only they, but there are other persons also who are benefiting as well but I think it is better for me not to refer to them. I think, therefore, it is high time that these proceedings should be kept in abeyance for the time being at least. I think Government has not yet realised the serious situation which prevails in the countryside.

3-30 p.m.

In my district for example there have already been instances of hât looting. The little money that the cultivators and other persons had is almost exhausted, and I do not know what the situation in the country will be in a month's time, or two. There will be no money whatsoever, and the people without being provided with any money at all with which they can buy the necessaries of life would surely take to methods which are not recognised by law and within a very short time not only the Government but the whole country will have to face a very serious situation. If these proceedings go on in a particular district I think the situation in that district will be aggravated. I do not propose that the proceedings should be stopped for all time to come. There are people who are against these proceedings being initiated at all. I am not one of those persons. To my mind these proceedings are necessary. When there is no record-of-rights the valuation of cess cannot be made on an accurate basis. As soon as a record-of-right is prepared it is much more easy for the authorities to

come to a correct valuation. Therefore these proceedings are necessary, and also as the proceeds, arising out of these proceedings, entirely go to the district and local boards, there should be no objections to them in normal times. But I beg to submit that under the present circumstances and during this time of distress these proceedings should be held in abeyance. Instead of doing away with the work already done I propose that the proceedings be stopped at the stage at which they have reached, and when better conditions prevail the proceedings may be resumed. If that procedure is adopted I do not think Government will have anything to lose. On the other hand, Government will help the distressed people to a very large extent. Therefore, my first motion requires that the total amount of Rs. 90,000 under head "5A.—Charges of Administration—Road Cess, Valuation and Revaluation Establishment—Temporary Establishment" be refused. If my suggestion is accepted, I think there will hardly be any necessity for maintaining this establishment. From that point of view Government will not be in need of this sum. Therefore, I think, if this proposal is accepted Government can do away with the sum of Rs. 90,000 under this head and can profitably utilise it in some other department.

I think that is all I have to say as regards these two motions. The second motion is only a recommendation for a token cut. If the first motion is not carried, then I shall press for the second one.

The Hon'ble Sir PROVASH CHUNDER MITTER: Sir, as both the motions relate to the same subject I will deal with them together. Of the demand of Rs. 90,000 only Rs. 35,754 relate to the district of Faridpur. The programme of Faridpur is a programme for three years and five months. The work started there from 1st August, 1929. Thereafter, the work went on for the remaining portion of that year. Towards the end of the year 1930 the chairman of the district board made a representation through the Collector for stopping further work. Some correspondence ensued and the last on the subject was dated January, 1931. That letter came to my notice in connection with a Council question and the matter came to my notice. I made certain inquiries, and as a result of those inquiries I have been assured by the Board of Revenue that in Faridpur the areas the revaluation of which have not begun were ordered to be stopped. Now, there is one point that arises in connection with the stopping altogether of the proceedings which have commenced. The Cess Act provides that the cost has to be found by the district board. Now a certain sum has been spent and if that money is wasted without the district board deriving any benefit from such revaluation that body will suffer. The chairman of the district board however represented that it would be better for the district board to suffer that loss than to face further difficulty by proceeding with the revaluation of the whole district. That is a matter

which Government in the Revenue Department should not decide finally without consulting the Local Self-Government Department particularly as the proceedings under the Cess Act were started at the instance of the district board.

In view of the facts that have been brought to my notice I am willing to call a conference which may be attended by the chairman of the district board of Faridpur and the mover of the resolution. The other members of the conference will be the Hon'ble Minister of the Local Self-Government Department, the Secretary to that Department, the Member, Board of Revenue, the Secretary to the Revenue Department and myself. If the Revenue Department after the conference are satisfied then suitable action will be taken. I can assure the mover that we in the Revenue Department are not irresponsive to the present difficulties, but this is a matter in which the Revenue Department alone should not act. The proceedings were initiated at the instance of the district board in 1929. No one was then aware of the situation that would arise in 1930 and 1931. If on this assurance the mover will withdraw his motions, it will save the time of the Council; if not, I will have to go into the matter more fully.

The motions of Maulvi Tamizuddin Khan were then, by leave of the Council, withdrawn.

Maulvi TAMIZUDDIN KHAN: I beg to move that the demand of Rs. 1,46,800 under the head "5A.—Charges of Administration—Road Cess, Valuation and Revaluation Establishment" be reduced by Rs. 1,000 (popular demand for amending certain provisions in the Cess Act and unsatisfactory manner in which valuation proceedings are carried on).

I have tabled this motion on the grounds on which similar motions were tabled during the last two years. The first ground is that the Cess Act requires amendment and the second ground is that the manner in which revaluation proceedings are carried on causes a good deal of hardship upon the various classes of tenants in this country. As regards the first ground that the Act requires amendmeut, I think the Hon'ble Member-in-charge is also of the same opinion as many members of this House, and it will be gratifying to refer to the promise which he held out to this House last year. During the discussion of a similar motion last year the Hon'ble Member said that he was willing to appoint a special officer to inquire into the matter, and after the special officer submitted his report, the report would be considered by Government, and then another committee consisting of some members of this House would be appointed for suggesting specific amendments that might be necessary. I do not know whether the special officer was already appointed and whether he made any inquiry. Sir Provash also gave us this assurance that it would not take a long time for the special officer

to finish his work and submit his report. He said that six month might be quite sufficient for the purpose. Not only six months but w see a year has elapsed and so I think the special officer must hav already submitted his report. If so, and if the assurance of Si Provash is going to be fulfilled, then there will be no necessity fo pressing for acceptance of this motion at all. As we are in the dar certain motions like mine have been tabled. I think if nothing ha been done it is high time that something should be done. Everyon knows that the Cess Act has created a class of fictitious tenure holders. Under the Tenancy Act persons who are out and out cult vators may be tenure-holders under the Cess Act. If he lets out portion of his holding to a sub-tenant or even if he sublets a portio of his holding to a *bargadar*, then the raiyat who is a cultivator i transformed into a tenure-holder, and according to the Cess Act hi cess is assessed at a higher rate than if he had been a cultivator. Thi is a thing which seems to be very iniquitous. In this view the Hous has been demanding an amendment of the Cess Act. I do not kno what actually has been done, but I think from the reply that th Hon'ble Member gives the House will be satisfied as to the action whic Government have already taken in this matter.

As regards my second reason, *viz.*, the unsatisfactory manner i which these proceedings are carried on, it is a matter of regret that th officers in charge of these proceedings very often go astray in spite o the clear provisions of the Cess Manual. I only refer to my ow district so far as the administration of the Act is concerne Valuation proceedings are now going on in the district of Faridpur an it is curious to know that the authorities are adopting different polici in different parts of the district.

3-45 p.m.

Sir, our district consists of four subdivisions and of these Goalund is the smallest and the poorest and the worst subdivision from man points of view. That subdivision was first taken up by the authoriti and it was decided that assessment would be made at a valuation o Rs. 18. It was subsequently found out that if assessment was made o that valuation the increment would be simply tremendous. Therefo we hear that the Revenue Board ordered that in subsequent stages o the proceedings the valuation should not be at Rs. 18 but at Rs. 1 which is being applied to the rest of the district. Sir, the other sul divisions are materially better than the Goalundo subdivision. The the valuation is fixed at Rs. 10 whereas in the Goalundo subdivision was put at Rs. 18. I represented this matter to the Board of Revenu I was surprised to hear that the Board could not give any relief an that it lay with the District Magistrate. I also saw the Distri Magistrate who told me that he was bound hand and foot by the rul

under the Cess Act and, that unless tenants approached him by way of appeal, he could not do anything in the matter. Sir, now I ask relief from the Hon'ble Member-in-charge. I should like to draw the attention of the House to the fact that the people in our country being generally illiterate they do not know their rights at all. They do not know what to do under particular circumstances and also it is a matter of regret that the assessment is not at all properly circulated in the mufassal. When these matters are represented to a higher officer he considers that the peons must be taken at their word and notices must be taken to have been served. But people with actual experience knows that in 90 per cent. of cases notices are not properly served. Even if the notices are served, the people affected, due to their ignorance and lethargy, do not go to the authorities for redress and certainly under the present circumstances they have not the money to go to head-quarters to prefer appeals for the reduction of assessment. Therefore I think that so far as the differential treatment which is being meted to different subdivisions of my district is concerned, the Hon'ble Member-in-charge will, I hope, look into this matter and try to see that justice is done to the poorest of the subdivision of my district.

Now, as regards the grievance that the Cess Act is not properly administered the defect lies in the provisions of the Act itself. In this connection I would urge the same arguments which I used in connection with my previous motion. I need not repeat them here but those arguments are certainly relevant in connection with the proposal for the amendment of the Cess Act.

MUNINDRA DEB RAI MAHASAI: I beg to move that the demand of Rs. 1,46,800 under the head "5A.—Charges of Administration—Road Cess, Valuation and Revaluation Establishment" be reduced by Rs. 101 (to discuss the working of the Cess Act, to draw attention to the present method of valuation, to urge for an inquiry into the incidence of cess taxation and for an early revision of the Cess Act).

Sir, for nearly half a century, the *abwab* of road cess has been levied in the province in contravention to the terms of the Permanent Settlement. The work of collection has been entrusted to the zamindars, without any adequate remuneration for collection expenses. They agreed to shoulder the responsibilities on the firm belief that the money so collected would be spent for the development of the rural roads and other works of public utility thereby contributing to the general well-being of their tenantry. Little could they imagine that this *abwab* would be a constant source of harassment to them and would ultimately lead to the ruin of many of them. The Cess Act is being administered by Government since it came into force. The Local Self-Government Act was passed a few years later in 1885, when Government began to contribute a portion of the cesses according to its pleasure to the

district boards constituted under the said Act and later on after years of continued agitation the whole of the cesses were handed over to the district boards deducting therefrom Rs. 5,50,000 as cost of collection. I should now like to raise a broad question of equity as to whether the collection of cesses should be entrusted to the zamindars, without affording them the same facilities of collection as the Government itself enjoyed, in the collection of cesses from them. Speedy and handy methods of collection by the certificate procedure should not be the monopoly of Government or semi-Government institution, or of a favoured few. The difficulty experienced by the zamindars in the collection of Government *abwabs* like road cess, drainage cess, sluice charges, etc., are beyond description. Laws delay have become proverbial in this country. The long protracted procedure of the civil courts in their different stages are simply scandalous. Unnecessary harassment, pecuniary loss and unusual delay in the realisation of just dues are the concomitant evils which attend these lengthy proceedings. It is not only leading to the ruination of a good many zamindars but also impoverishing the tenantry as well. In three of the divisions of Bengal *viz.*:—Dacca, Chittagong and Rajshahi—206 estates in 1928 and 230 in 1929 were sold for arrears of road and public works cesses alone. The number in 1930-31 would undoubtedly be still higher. The number of pending certificate cases against the zamindars for arrears of cesses, etc., in some of the districts in Bengal were simply appalling. There was only one Syed Reza Khan in the whole of Bengal during the reign of Nawab Murshid Kuli Khan, whose name has been handed down to infamy, for his rigour in the collection of revenue, but now under the garb of civilisation and in the name of law, such despots are not wanting to suck the life-blood of the zamindars caring little to see how the latter fared in the collection of their dues in these years of dire economic distress.

Now coming to the question of revaluation, I should like to point out that when the Cess Act came into operation, the total cess amounted to Rs. 45 lakhs of rupees—it has nearly doubled in fifty years and there was no knowing whether it would be trebled or quadrupled within the next fifty years—there being no limit to it. The cess is going up higher and higher with each revaluation. I would not have grudged it, had there been a corresponding increase in the taxable capacity of the nation, had there been a proportionate increase in the productivity of the soil and had the economic condition showed marked signs of improvement. For instance, in my district, Hooghly, where the soil has continuously been the subject of diminishing return with the consequent decrease in the value of lands, it was strange that the cess revaluation of 1928 should not reflect the true state of affairs. The cess of the district before the last valuation amounted to Rs. 1,52,450 and after revaluation it has risen to Rs. 2,00,923. Perhaps it was due

to the overzealousness of the Cess Revaluation Officer, who might have an eye more to his own promotion and prospects than to the interest of the cess payers. The tax has fallen heavily on the middle classes. In the cess revaluations, not only the cultivated lands are calculated but also jungly gardens and waste lands are whimsically and arbitrarily taken into account. Advantage is also taken in the peculiar definition in the Cess Act under which cultivating raiyats can be classed as tenure-holders if they let out even a fraction of their lands. As tenure-holders, cesses are calculated not on rental basis but on the valuation of the land. The result is that those who had to pay half-anna in the rupee are sometimes required to pay even ten times the former cess. It is very difficult to understand the intricacies of the Cess Act, far less to an illiterate tenant to whom it is not intelligible as to how his cess can suddenly rise up by leaps and bounds to an abnormal figure. He generally holds the zamindar's people responsible for the increase and refuses to pay either the cess or the rent. The result is the institution of suits by the landlord, perhaps, after waiting for four years, i.e., just before the limitation period, the contest goes on in the lower court, the appeal in the different appellate courts, the final decree, sale, annulment of sale proceedings, confirmation of sale, trouble over possession, criminal proceedings and so forth. All these meant suspension of collection of rents and cesses for a number of years, various pecuniary losses and harassment of the landlord and the increased indebtedness of the raiyat and his ultimate ruin. These are matters of everyday occurrence and are well-known to the members of this House. Government, on the other hand, has got nothing to lose but is rather a gainer in increased stamp revenue. By the handy certificate procedure or by the sale of the estate, through its stern Revenue Officers it feels absolutely no difficulty in the realisation of its cesses from the zamindars. Mark the difference between the two procedures and the solicitude of the Government for the well-being of the zamindars and the raiyats will reveal itself in its true colours.

Rural Bengal has got to bear a burden of about a crore of rupees in cesses, Rs. 30 lakhs in union board rates and the imposition of the primary education cess of a crore of rupees a year later, will grind it down under the heavy load of taxation in the near future. It is high time for the Government to take stock of the realities of the situation and see that the people are not crushed under the wheels of the administrative machinery.

Pray do not misunderstand me. I am not unaware of the fact that district boards and union boards cannot go on with their work of public utility unless sufficient funds were forthcoming but at the same time, may I not ask whether it is not the duty of the executive Government to find out ways and means for the removal of unjust exactions and to adopt a more equitable and humane adjustment of the incidence of

taxation. If the law stood in its way, why not repeal it and bring in fresh legislation to remedy the existing defects. If the energy of the executives be solely directed towards the continued inflammation of the revenue side, the people would be helpless. It was a strange irony of fate that those born with silver spoons in their mouths generally occupied the administrative *gadi* and little did they care for the woes and miseries of the teeming millions.

In conclusion, I should like to urge the early appointment of a representative committee of the Bengal Legislative Council with a few officials to examine the question in all its aspects and draft a Cess (Amendment) Bill.

4 p.m.

Maulvi HASSAN ALI: I beg to move that the demand of Rs. 1,46,800 under the head "5A.—Charges of Administration—Road Cess Valuation and Revaluation Establishment" be reduced by Rs. 100 (work of revaluation is being made in a drastic manner causing enormous enhancement in the road cesses payable by the raiyats).

Sir, I want to draw attention of the Government to the fact how the raiyats of Bengal are groaning under the inequitous impositions of road taxes and in what drastic manner these impositions are being made. The House is well aware that these inequities are largely due to the amazing intricacies and complications of the Cess Act itself and the harmful defects of the Act have from time to time been brought to the notice of the Government by different hon'ble members of this House. But, Sir, the Government have not paid any heed to it.

Sir, no practical steps have been made to amend this wonderful piece of work known as the Cess Act so as to remove the grievances of the people on the other hand. Sir, it is being applied with invigorated energy as a most patent engine of oppression by way of enhancing the assessments.

Sir, we see that on every revaluation of cesses we find that there is an increment of cesses and so the assumption is that the value and productivity of the lands held by the people is increasing day by day. Again, we see in each revaluation there is an enhancement of cess assessed upon each holding of each tenant.

Are we to understand that the raiyats of Bengal are being enriched every year and the value of their lands is also increasing? To assume this is nothing but deliberately shutting one's eyes to the truth. The raiyats of Bengal are every year groaning under famine and scarcity. Thousands and thousands are dying for want of proper clothing and adequate housing. Thousands and thousands are succumbing to death for want of proper medical help. And yet you say that the value and proceeds of their lands are being increased and so the road cesses must be increased.

This is a sheer irony of fate indeed. The tenants of Bengal are to pay tax for roads even if they lose their legs to walk over them. Sir, in my district the amount of cess assessed this year is nearly doubled and one will be shocked to hear how this redoubling process has been pursued.

The tenant who cultivates some portions of his land by his own ploughing and some portion by *adhiars* has been regarded as a tenure-holder. How this distinction of cultivating raiyat and a non-cultivating raiyat arises is a mystery. Again the valuation of different classes of lands has been fixed most sweepingly and whimsically without reference to the varying local conditions. Cesses have been assessed on waste, *patit* and uncultivated lands. Is not the assessment upon those unproductive lands an unjust imposition, an extortion without parallel in any civilised land? Proper heed has not been paid even in ascertaining the annual value or profit of the land. The result is that we have found to our astonishment that a raiyat holding a jama of Re. 1 has been assessed to pay the road cess of Rs. 4. This is only illustrative of very many ridiculous cases of like nature. In most cases of the middle class jotedara the valuations have risen to 3 to 25 times the annual rent and in almost all cases the cesses have increased from 5 to 25 times the previous road cess. I know, Sir, that the enhancement of road cess is sought to be justified by saying that the district boards are in need of more money and so the increment in road cess is in the interests of people themselves. I do not see any reason, Sir, in argument like that: district board has got no special charm for the people if under the pretence and in the name of self-government you want to kill them. And the Hon'ble Member for Revenue will perhaps say that the cases of extreme nature might have been remedied by taking resort to legal remedies: Sir, in this respect also, people are helpless. Because authorities of valuation are there inevitably for rejecting summarily the petitions for revisions of sufferers. In many cases the sufferers come late and their cases are most ruthlessly dismissed on the ground of limitation, and this limitation has been a curious thing in the Cess Act. The valuation officers will regard the notice as served only on the almighty peon's report no matter whether the tenant concerned gets it or not. In many cases it was found that the assessee on the very day he actually received his roll coming to the office found to his utter surprise that his notice was served long ago and his remedy is time-barred. No amount of plea that the limitation should run from the date of knowledge will be of any avail; because the Cess Act contains no such express provision.

Sir, it is useless to enumerate the hard lots of the raiyats in the hands of the revaluation officers; unless the Government feel it their duty to inquire into the whole matter of the revaluation processes in Bengal.

Raja Bahadur BHUPENDRA NARAYAN SINHA, of Nashipur: I beg to move that the demand of Rs. 1,46,800 under the head "5A.—Road-Cess Valuation and Revaluation Establishment" be reduced by Re. 1 (desirability of amending the Cess Act in the near future).

I do not like to add anything to what has already been said by the previous speaker nor do I like to criticise the working of the Cess Act. For the last few years there has been criticism with regard to the working of this Act, so I do not like to repeat those criticisms at the present moment on a point that has been dealt with by the previous speaker, especially when the Hon'ble Member has himself admitted the defects in the working of the Act. For the last few years the attention of the Hon'ble Member in charge of the Revenue Department has been drawn to the arbitrary and whimsical way in which the Revaluation Officer has acted with regard to determining the valuation of lands and assessing the cess. Instance after instance has been quoted and been brought to the notice of the Hon'ble Member in charge of the department of the inequities and injustice which have been done to the poor cultivators, to peasants, and I should say, to the landlords as a class and of how they have suffered for the action of the whimsical officers of the Revenue Department, but on each occasion the Hon'ble Member has taken shelter behind the statement that the present Act is a defective one and the defects cannot be rectified unless the Act be amended. Last year he assured the House that the matter was under his consideration and it would take about three or four months to complete the work and that he would be able to present an amending Bill in the House in the near future. But a year has passed by since then, but no information has been given to us as to what progress has been made.

The object of my motion is to draw the notice of the Hon'ble Member to his proposed amendment of the Cess Act, and to request him to inform us as to what progress has been made and at what stage it is now, also to inform the House whether he would be able to present a Bill in the near future. I would also request him to add some members of this Council to the committee to draft the said amending Bill. With these few words I beg to move my motion.

Khan Bahadur Maulvi AZIZUL HAQUE: I beg to move that the demand of Rs. 1,46,800 under the head "5A.—Charges of Administration —Road Cess Valuation and Revaluation Establishment" be reduced by Re. 1 [to draw attention to the inequities of present cess incidence, to the immediate necessity of revision of the Cess Act after an inquiry into the working of Cess Act, and to urge the early appointment of a small Representative Committee of the Bengal Legislative Council with a few officials for drafting a Cess (Amendment) Bill].

Sir, the latter part of my motion is in consonance with the opinion expressed by the Hon'ble Member in charge of the Revenue Department

at the last budget discussion that he would appoint a special officer with a view to inquire into the incidence of cess taxation and to see if a case could be made out for the amendment of the Cess Act, and thereafter to appoint a small committee of this House to draft an amending Bill. I understand that a special officer has been appointed and some progress has been made though I do not consider that progress to be satisfactory. That is partly because unfortunately for the Revenue Department the Hon'ble Sir Provash Chunder Mitter had been to the Round Table Conference and if he had not gone to the Conference, probably the progress would have been much quicker. Any way now that he has come back, I hope he will expedite the matter. I would just like to know when it will be possible for him to appoint a small committee of the House with a few officials and non-officials to draft an amending Bill. I consider that in a matter of this nature it is very essential that both officials and non-officials should combine for the purpose of finding out a solution of this complicated problem. I consider that this piece of Cess Act is a standing monument of a mischievous Act which is inexplicable and made further inexplicable by the rules of the department. I do not pretend to have much knowledge of law, but I certainly do consider that Government must have the authority of strong legal wisdom when in spite of the clear definition in the Act that annual valuation should be assessed on a rent basis and only when there is no rent basis, to go upon valuation, revaluations mainly proceed upon considerations other than rent basis. Any way these are legal matters which should be solved later. But I would just at the present moment draw the attention of Government to the serious situation which Bengal has come to to-day. Maulvi Tamizuddin Khan was complaining that the Goalundo subdivision, the poorest in the district, was hard hit, so much so that it would have to pay a very large amount of cess tax, whereas fertile areas will pay much less. My friend need not lament over this because that is the history of the Permanent Settlement to a considerable extent. From the date of the Permanent Settlement to the present day the Presidency and Burdwan divisions have been paying such high revenues that a certain amount of high cess taxation is almost inevitable in some parts of the Presidency division. But quite apart from that there are methods of valuation which lead one officer to high taxation in one district and low in another. I do not think it is unknown to the Hon'ble Member that in the Presidency and Burdwan divisions land is not very fertile; at least in the Presidency division fertility is very much less, while in the latter division it is slightly better. The Rajshahi division in spite of its fertility is much better off than the other two divisions as regards cess.

But what about the revenue figures? I was studying the figures during the last two days and the House will be interested to hear that the revenue per acre in the Presidency division is Re. 1-12; that is what Government take for each acre of land. In the Burdwan division it is

Rs. 2 per acre; in Dacca it is 10 annas; in Rajshahi it is Re. 1-4 and in Chittagong it is Re. 1-3. As regards the cess incidence, there is a wide diversity. The Presidency division has to pay 9 annas per acre, Burdwan 6 annas 6 pies, Dacca 4 annas and Rajshahi and Chittagong 5 annas each. In addition to that every division has to pay 4 annas 6 pies per acre as union rate. The amount of money which tenants have to pay to the landlords as their own share quite apart from revenue is also widely different in different divisions of Bengal. The tenants have to pay Rs. 7-11 per acre in the Presidency division and Rs. 6-9 in the Burdwan division; Rs. 3-6 in the Dacca division; Rs. 5-7 in the Rajshahi division and Rs. 5-10 in the Chittagong division.

The situation therefore is that the less fertile the land is, the greater amount of tax it has to pay as share of the cess incidence, and landlords' share and revenue share. But looking from the point of view of wealth of the people, let us for a moment go into the question of what is the normal acreage of a particular family. Statisticians are agreed that so far as Bengal is concerned, 5·15 per head is the average unit of a family; in other words, each family contains 5·15 persons. Each family has to cultivate about four acres of land. I was calculating that figure and after meeting the cost of cultivation which is roughly 70 per cent., what is left for a cultivator's family is roughly Rs. 90 for four acres of land.

4-15 p.m.

It will be interesting for you to know that out of this Rs. 90 which is the gross income for the time being, 7·8 per cent. is the annual revenue charge. Thirty-four per cent. goes as rental, 2·2 per cent. as other charges on land and cess and 2·5 per cent. is the union rate. In other words, out of his gross income and after paying all cost of cultivation he has to pay 47·6 per cent. as rent, revenue, cess charges and if he has to meet the education cess and other charges and liabilities, it will be 50 per cent. Sir, one can imagine what is left to the cultivator for his fooding, clothing, etc. I also calculated as to what that Hon'ble Member in charge of Jails, who is also Member in charge of Revenue, will demand for the cost of maintaining jails, taking 5·5 per cent. of the people in jail. I am bringing to the notice of the Hon'ble Member in charge of Revenue the present deplorable position in the hope that he will be able to remedy it. I do not complain it is his responsibility, but surely no time should be lost in effecting a remedy. I was looking into the question of the magnificent section in the Cess Act, *viz.*, a tenant is deemed by some process of the Revenue Department to be a tenure-holder. The district of Nadia, to which I belong, has a population of 13 millions. If 5·5 persons be taken as the number of persons in one family, the total number of agricultural families in my district comes to about 260,248. Would you be surprised to hear that tenure-holders paying cess are also 247,000. Every tenant is thus considered to be a

tenure-holder and I think the situation is very unfair. The operation of this Act, therefore, does not give a valuation on a right basis. If the total population of Bengal be considered, you will find that two out of three tenants are treated as tenure-holders, *i.e.*, two have to pay high rates out of every three. I have shown that in the Presidency division almost every man is considered a tenure-holder. I have already shown you that unfortunately under the revenue settlement some divisions have to pay a very heavy rate while certain other divisions pay a low rate. The situation to-day is such that the Presidency and Burdwan divisions are going down and down in fertility but have to pay more and more in taxes. As I have shown you, calculated on the basis of 4 acres of land, this leaves a margin of Rs. 90 out of which 50 per cent. is taken for revenue and other purposes. This is certainly a serious situation in a country like Bengal where the great majority of people are agriculturists and food-producers. You will tell us that, some time or other, every country is confronted with the food problem but there in times of emergency, the producers are given a helping hand. In Bengal that time is coming and I hope that some provision will be made to avert disaster and create co-operation between people and Government.

The following motions were called but not moved:—

Babu JITENDRALAL BANNERJEE: "That the demand of Rs. 5,81,500 under the head '5A.—Charges of Administration' be reduced by Rs. 65,720."

Babu KISHORI MOHAN CHAUDHURI: "That the demand of Rs. 5,81,500 under the head '5A.—Charges of Administration' be reduced by Rs. 50,000."

Dr. NARESH CHANDRA SEN GUPTA: I would like to state a few facts. One fact that will be admitted by the Hon'ble Member is that the incidence of the cess revaluation which has been made from time to time is felt to be a great hardship in many points and there are large inaccuracies in it which need to be remedied. I expect that the Hon'ble Revenue Member will repeat this year his promise of last year that something is being done and that some inquiry is being made to remedy things. I only wish to draw attention to the fact that it would be unwise when he is considering the question of readjusting the cess to limit the inquiry within the four corners of the general principles of the Cess Act. It would be better if the inquiry is widened a little further and examination made on the basis of taxation for local administration. Cess is levied for local administration and taxation for local purposes. I am perfectly sure if the matter is investigated it will be found possible to develop the whole basis of taxation for local purposes on not only more scientific lines but on lines which will be found to be less hard and exacting on the people. I only ask the Hon'ble Member to extend the scope of this inquiry so as to include consideration of

these questions and that consideration may also involve, to my mind it does involve, a consideration of the question of the constitution of the local administration. So if real relief is to be given and a satisfactory basis to be arrived at, the inquiry must be widened to include the whole question of the constitution of the local administration and the powers of taxation for local purposes.

The Hon'ble Sir PROVASH CHUNDER MITTER: Two points arise for consideration, namely, (1) the administration of the Cess Act, as it stands, and (2) a more important point and a point of great moment to the public, namely, the amendment of the Cess Act on proper lines. I will deal first of all with the question of administration. I may remind both the members of this House who took part in the discussion last year, that some of the difficulties about the administration of the Cess Act arise out of certain anomalies arising out of interpretation of section 24 of the Cess Act. Mr. Tamizuddin and Khan Bahadur Maulvi Azizul Haque dwelt on that. I then reminded the House that I passed certain orders in the Revenue Department with regard to some memorials received from the districts of Pabna and Bogra. These orders directed that the question as to whether a *bargadar* was a tenant, or a labourer should no longer be left in doubt. If a *bargadar* was a tenant, then section 102 of the Bengal Tenancy Act required that his status as tenant should be declared; if he were a labourer, he had no interest in land, he would not come into the entry of record-of-rights at all. The decision on this main point would go to the root of many difficulties and anomalies which arise under section 24 of the Cess Act. I further informed that House that if a *bargadar* was regarded as a tenant, he would be treated as such and the expression "cultivating raiyat" in section 4 of the Cess Act would apply to him. Those familiar with this question will remember that section 4 says this:—

"Cultivating raiyat" means a person cultivating land and paying rent therefor not exceeding one hundred rupees per annum."

And the explanation says:—

"When rent is payable in kind, the money value thereof shall, for the purpose of this Act, be taken to be the annual value of the landlord's share of the crop calculated on an average of the three years next preceding any valuation under this Act."

Therefore if when a *bargadar* was a tenant, and paid rent in kind, the annual value would be calculated on the average of three years. The cess revaluation officer would proceed to value on the basis indicated in the explanation. A good deal of uncertainty would thus be removed in cases when the *bargadar* was a tenant and paid rent in kind.

[At 4-35 p.m. the Council was adjourned for prayer and it reassembled at 4-45 p.m.]

The Hon'ble Sir PROVASH CHUNDER MITTER: I was drawing the attention of the House to the question of grievances about the administration of the Cess Act. I have already informed the House that these *bargadars* who are really tenants are definitely recorded as such, and if those who are hired labourers are not recorded at all, some of the difficulties will disappear. Orders have been passed by Government which will set matters right to that extent.

I informed the House last year that if the *bargadar* was only a labourer, and cultivated the entire land of a holding, then the man who held the land and got it cultivated by a *bargadar* labourer would be a raiyat and the assessment would be on the rent actually paid by him. In those cases too difficulties would disappear. But difficulties arise most in cases where an occupany raiyat has, say, 8 or 10 bighas of land, out of which he lets out say, 2 or 3 bighas either to a *bargadar* or a cash rent-paying sub-tenant. In those cases the footnote of section 24 would apply. It provides for the summary valuation of the portion in khas possession of the occupancy raiyat. In order to mitigate the hardships arising out of the operation of this footnote, the Board of Revenue has issued instructions to different Collectors that the footnote may be treated as inoperative. The Board will come up to Government for sanction to delete the footnote, and we have decided to delete it formally, although actual orders have not yet been passed.

Sir, reference has been made by Maulvi Tamizuddin Khan to the fact that in two subdivisions of his district a flat rate of Rs. 10 is charged, whereas in two other subdivisions a rate of Rs. 18 is charged. This is very possibly due to the fact that orders have recently been passed for a flat rate of Rs. 10, but in the two subdivisions mentioned by him, these orders were not in operation when the assessment was made. As I have already said in connection with motions of Maulvi Tamizuddin Khan, that I am willing to go into the question of cess-revaluation of the district of Faridpur. In that connection I propose to consider the anomally referred to above. So the net result is that though the Cess Act may be an unsatisfactory Act, the difficulties in its working have been minimised as far as possible. All this was done mostly this year and to some extent a little while before last year's debate.

I have not yet touched on a question of far more vital importance, namely, the question of the amendment of the Cess Act. Members will remember that I promised last year to appoint a special officer to deal with the matter and accordingly it was decided that a special officer should be appointed and that he should work under the guidance of Mr. Fawcus who was then the Director of Land Records and Rai Bahadur Mahendra Nath Gupta, an experienced revenue officer. The special officer submitted a provisional report which has been examined by Rai Bahadur Mahendra Nath Gupta and is now under examination by Mr. Fawcus. As the Board of Revenue is

intimately concerned and is now presided over by Mr. Sachse, himself an experienced revenue officer, the Board also has been examining the question and has submitted certain proposals. The Divisional Commissioners were also consulted and they have intimated their opinion on some of the points. I may tell the House that each one of us who has had to examine the amendment of the Cess Act agreed that if it were possible to have a uniform principle of assessment, it would certainly be desirable to adopt it. As regards proprietors and Bengal Tenancy tenure-holders it is not difficult to ascertain their net profit and so the principle of assessment based on net profit is quite feasible in most cases. But even with regard to those the question of possession of khas land and the assessment thereof presents a problem of some difficulty.

As regards the agricultural raiyat, the problem presents many difficulties. Under the present Cess Act, take a raiyat who pays at Re. 1 per bigha, and let me assume that a neighbouring raiyat pays Rs. 6 per bigha. This rack-renting may be due to the fact that in a rent sale a particular holding was made khas and there was an under-raiyat under the original raiyat. The first raiyat pays cess on his Re. 1 and his neighbour pays cess on Rs. 6. In other words the rack-rented neighbour pays much more than the raiyat who pays a comparatively light rent. Then again, there are tenants who pay in kind. Even of those who pay in kind some may be tenants, others may be mere labourers or *bargadars*. These cases may lead to the difficulty in adopting an uniform but just principle of assessment.

As regards the cultivating raiyat and the cultivating under-raiyat, the position in the different districts is not the same. Take for example, Bankura, Bakarganj and Mymensingh. I am taking these three districts as typical one. Bankura is a poor district, where the question of subinfeudation is not acute. Bakarganj and Mymensingh are comparatively fertile districts but in the former the question of subinfeudation presents great difficulties but in the latter there is not much of subinfeudation. In framing the Cess Act it must be seen that the Act is of general application for the whole province, and the different problems affecting different districts will have to be carefully considered. After examining these problems and the different conditions in the different districts it will be necessary to evolve a system which will be of general application to all the districts and will not at the same time involve any injustice or avoidable inequality. The effect of the amendments on the cess revenue of the province has also to be taken into consideration.

Then again other factors have to be carefully considered if we are to adopt one principle for all classes, beginning with the proprietor and ending with the poorest under-raiyat. The cost of assessment under the new principle is a relevant factor which has to be examined carefully. At the present moment the proprietor files his return; other

returns are called for and the cost is calculated accordingly; but if we are to find out the income of the different classes of the people holding different interests in land, the expenses may be less, may be very much more and may be about the same. This requires examination. The method of collection and cost thereof is another factor, which has to be examined carefully.

Then, Sir, the system of direct collection has also been suggested. That again has to be examined. If there is no direct collection and if the basis of assessment be other than rental, then the question as to how to fit in the proposed new system with the system of collection through proprietors has to be examined, as also what safeguards should be provided for the proprietors and tenure-holders.

The question as to whether mills and factories should be assessed, and if so, on what basis, has to be decided.

There are other important questions to be considered. Under the present Cess Act the owners of coal mines have to pay cess on the net profit. The mine-owners have also to pay income-tax. The owners of tea estates on the other hand do not pay anything except a flat rate of Rs. 10 per acre. The basis of assessment in their case is different from that of mine-owners. The question whether this inequality between these two classes of cases should be allowed to continue or not has to be considered. The basis of valuation of tea lands also requires examination.

Questions may also have to be discussed between the local Government and the Government of India as to where the domain of income-tax will end and that of cess will begin, or whether the same set of persons should pay both income-tax and cess.

Under Schedule I of the Scheduled Taxes Rules the local Government is entitled to impose a tax on non-agricultural land. The non-agricultural land, if it is comparatively valuable, has to pay income-tax, and it has to pay cess if it is outside municipal areas. This question also has to be examined.

From what I have said it is apparent that there are various questions of principle which ought to be carefully examined. These are already under examination. A considerable progress has been made. Examination of a question of principle often presents to us the importance of further investigation of questions of fact. At any rate that was the experience that we gained when we proceeded to examine the materials collected by our special officer. The facts have to be sifted and examined in deciding these various questions of principle.

Now the question has been raised as to when the proposed committee will be appointed. I promised last year that before final steps were taken a committee would be appointed and I said that Government would certainly welcome the advice of the committee. Now the advice of the committee will be particularly valuable on questions of

principle. This advice will be all the more valuable when we are in a position to place relevant facts before it. If we appoint the committee before the facts and other relevant materials have been collected, then I may tell the House that it will be the best way of shelving the matter. It will take time to assemble the committee and the committee will naturally ask for these facts and if the committee were to try to gather those facts by wading through the different record-of-rights or cess valuation papers of different districts, then it would take much more time than what would be necessary if an intelligent officer were to collect all these informations beforehand.

5 p.m.

For that reason I cannot say that the time has just yet come for the appointment of a committee. But I can assure the House, in spite of the suspicion of Khan Bahadur Maulvi Azizul Haque, that even during my absence Mr. Sachse and other officers were, as I have told the House already, considering the problem as also the report of the special officer.

Khan Bahadur Maulvi AZIZUL HAQUE: On a point of information, Sir. Cannot that report be circulated to the members of this House?

The Hon'ble Sir PROVASH CHUNDER MITTER: As I said last year, generally speaking it is against our practice to circulate departmental notes. (A VOICE: until you get responsible Government.) Even when you get responsible Government you will find that the same procedure will be followed. It is well known that departmental notes are not circulated always in self-governing countries. Suitable materials will be placed before the committee but whether departmental notes would be placed or not is a matter for the Executive Government to decide.

Then there is another point. Constitutional changes are imminent as a result of the deliberations of the Round Table Conference. It may be a matter for consideration both for you, the members of this House and the Government or the committee, if a committee is appointed, as to whether the policy which appealed to Government last year should hold good under those altered circumstances. In other words, whether this Council or the Council under the new constitution should deal with a matter of so far-reaching consequence, but in any case whatever the decision of the committee or the Council on that point may be, materials are to be collected and no time is to be wasted. Even if it be decided that the committee should not deal with the matter, materials will still have to be collected. As to whether this Council or its successor should deal with this legislation Government will be in hands of this House. That is the general position with regard to the progress of the work of cess legislation. It may be possible to appoint a committee comparatively early after Mr. Fawcus's report and certain other materials

have been collected. After investigation it might be found that further facts are necessary, but as at present advised I think it may be possible to appoint a committee in the course of the next four or five months.

There is another point. Munindra Deb Rai Mahasai has referred to the Cess Act as an anomalous one. Well, perhaps he forgets whether anomalous or not it is a law of the land and the Administrative department has to administer the law as it stands; but I may tell him that he is not doing anybody any good by using such language as he used when he said Government was sucking the life blood of the zamindars. I suppose other people could use equally harsh language with regard to zamindars.

Then Rai Mahasai said that the people should not be crushed under the wheels of the administrative machinery. But as I have said, Government departments have to administer a law as they find it. In regard to any legislation it is our business just as it will be the business of the responsible Government of the future to carry out what the legislature lays down. A section of the people may complain of the Cess Act, another section may complain against the Education Cess. What is the good of complaining against departments when the legislatures in their collective wisdom have passed an Act even though the minority may not like it?

Then Dr. Naresh Chandra Sen Gupta desired that the inquiry should not be limited to the four corners of the Cess Act. With utmost respect to my friend, I do not follow what he means by this.

Dr. NARESH CHANDRA SEN GUPTA: On a point of personal explanation, Sir. What I said was that it should not be confined to the four corners of the principles of the Cess Act.

The Hon'ble Sir PROVASH CHUNDER MITTER: It makes it more abstruse. I do not know what the principles of the four corners of the Cess Act are. If, however, he means an inquiry into economic questions then such inquiry will obviously take a long time and the legislation will be indefinitely held up if his advice be followed. I am in favour of having the advice of a committee, because that will minimise the difficulties of passing the Cess Act. That committee should, I think, be a representative one. It should represent landlords, tenants and also interests of district boards. I will not, however, make any definite announcement as to the nature or composition of the committee. I have explained the changes that have been introduced in connection with the administration of the Cess Act as also the position about the contemplated legislation and I hope the members who moved the

motions both on questions affecting administration of the existing Act and the suggestion about amendment of the Cess Act will not press them.

The motions of Maulvi Tamizuddin Khan, Munindra Deb Rai Mahasai, Raja Bahadur Bhupendra Narayan Sinha, of Nashipur and Khan Bahadur Maulvi Azizul Haque were then, by leave of the Council, withdrawn.

The motion of Maulvi Hassan Ali was then put and lost.

The following motion was called but not moved:—

Babu JITENDRALAL BANNERJEE: "That the demand of Rs. 5,81,500 under the head '5A.—Charges of Administration' be reduced by Rs. 101 (management of Courts of Wards and complete Indianization of that department)."

Khan Bahadur Maulvi AZIZUL HAQUE: Sir, I beg to move that the demand of Rs. 5,81,500 under the head '5A.—Charges of Administration' be reduced by Rs. 100 (to draw the attention of Government to the necessity of codification of Rent Laws and the appointment of a Rent Commission for the purpose). I think this was one of the subjects which was in the mind of the Hon'ble Member when he was out of office. I want to draw the attention of the Hon'ble Member to the complexity and multiplicity of the rent laws prevailing in Bengal. They are puzzling to all who have got anything to do with them. I think this question was discussed in the eighties of the last century and the time has now come when it is necessary that we should take some action in this matter. Sir, circumstances and the situation have actually changed since the days of the Permanent Settlement, since the days the rent laws were passed in 1859. Its administrative difficulties have come to the forefront and therefore it is high time that the matter should be looked into.

5-15 p.m.

I think that systematic codification of the Rent Law is a matter which should seriously engage the attention of Government. I know that it will take time but I think there is no harm in drawing the attention of the department and of the Hon'ble Member-in-charge to the necessity of the question.

The Hon'ble Sir PROVASH CHUNDER MITTER: Sir, the hon'ble mover has chosen to raise this question in connection with the budget and I cannot therefore accept it. If the hon'ble mover will raise the whole question in connection with a resolution I can promise him that it will receive my attention. I would, however, like to explain that it would be a waste of time and money to start an investigation at the

present time. We are now on the threshold of a great constitutional change and we do not know what the new Government is going to be, nor what would be their policy. Will it be wise then to appoint a Commission now to go into the whole matter especially at a time of such financial stringency? The hon'ble mover knows very well how long it took the Rent Law Commission to investigate agression questions of Bengal. I am referring to the Rent Law Commission on whose report the Bengal Tenancy Act of 1885 was based. What strenuous investigations they had to undertake and what labour was involved in the process. If we start an investigation now it may not be finished within a number of years. Even if our investigations are finished and a Bill prepared the new Government that will come into power may want to proceed on new principles and the whole of the labour and money may be wasted. I can assure the hon'ble mover, however, that if he moves a separate resolution on this point, then the Government and also members of the House will have a more suitable opportunity to consider the whole question. With these words I beg to oppose the motion.

Khan Bahadur Maulvi AZIZUL HAQUE: Sir, may I, with leave of the House, withdraw my motion.

The motion was then, by leave of the Council, withdrawn.

The following motion was called but not moved:—

Mr. P. BANERJI: "That the demand of Rs. 5,81,500 under the head '5A.—Land Revenue—Charges of Administration' be reduced by Rs. 100 (Indianisation of the management of the Court of Wards)."

Babu KHETTER MOHAN RAY: I beg to move that the demand of Rs. 5,81,500 under the head "5A.—Land Revenue—Charges of Administration" be reduced by Re. 1 (to raise a discussion about the stringency of Revenue Sale Law).

In moving this motion, my object is to draw attention to the stringent character of Revenue Sale Law of our country. Act XI of 1859 embodies the law on the subject. Under section 3 of the Act, the Board of Revenue have determined the latest day of payment of arrears of revenue that is to say upon what dates all arrears of revenue shall be paid up in each district; in default of which payment the estates in arrears shall be sold at public auction to the highest bidder. Under section 6 the Collector of the district in which the defaulting estates are situated shall, as soon as possible after the latest day of payment, issue notifications specifying the estates or shares which will be sold and the day of sale which shall not be less than 30 clear days from the date of affixing the notification in his office. It generally happens that the sale takes place within less than three months from the date of default. Once the day of sale is fixed, the Collector has no power

to extend the time of sale or adjourn the sale to some other day. The revenue sale like some natural phenomena must happen within specified time. The Collector has no discretion in the matter of sale which must happen and the defaulting proprietor has no right to avert the sale by payment of arrears of revenue before the sale nor has he any right to get the sale set aside by payment of revenue after the sale took place. The only redeeming feature of the Act is the discretion vested in the Collector or Commissioner by section 15 of the Act. The section empowers the Collector and the Commissioner to exercise his discretion, at any time before the sale commences, to exempt such estate or spare from sale, after recording reasons for such exemption. The Collector generally exercises his discretionary power under the section when the defaulting proprietor pays up the arrears due and on payment of certain fee or penalty. This section was intended to afford some relief in cases in which default has been due to mistakes, accidents or fraud. In the current year a serious economic situation has arisen due to the world-wide trade depression which has been aggravated in our country by the abnormal fall in prices of jute. The cultivators are passing through critical conditions. They have not sufficient money to buy bare necessaries of life though there is abundance of foodstuff in the country. The tenants have ceased to pay rents to the landlords who find it extremely difficult to collect rents and pay revenue of their estates to the Government. The zamindars find it hard to get loan in the country on good and substantial securities. The results are that in spite of their best endeavours many of them find it hard to pay the revenue as it falls due. If this state of economic depression continue for some time many of the zamindars would make default in making payments of their revenue. No doubt the Collector or the Commissioner may afford some relief under section 18, but this relief is quite inadequate considering the gravity of the situation. It is an exceptional circumstance which was never in contemplation when section 18 of the Revenue Law was enacted. It must not be understood that I advocate the relaxation of provisions of the Sale Law. In order to secure punctual payment of revenue, laws relating to it must necessarily be stringent. Even the Board of Revenue who administer the law once thus described it: "The law of summary sale for recovery of arrears of revenue is a necessary evil; but an evil nevertheless what I would urge is that in order to afford relief to the defaulting proprietors who are unable to pay arrears after default before the sale commences the Collector and the Commissioner should be invested with discretionary power to extend the time of sale from time to time in some deserving cases to enable the defaulting proprietors to pay the arrears. This will not interfere with the proper working of the sale law as it is even though the revenue officer may exercise such powers in exceptional cases as stated above. With these remarks I move the motion for consideration of the House and the Government.

Khan Bahadur Maulvi AZIZUL HAQUE: Sir, I beg to oppose the motion which has been just moved by my friend. My friend has mentioned economic depression. Has he taken stock of other years—years of economic prosperity? If the landlords of Bengal manage their estates with more care, prudence and forethought, it will just be possible for them to tide over such temporary difficulties. But if they think that every year they must spend what they get from the tenants, it is surely no concern of Government to give relief to save them from ruin. If my friend would care to look at the figures, he will see how the landlords realise their dues from the tenants every year and how much they pay to Government—I would draw his attention to Appendix 26 of the Land Revenue Administration Report. The gross revenue realised by the landlords from the tenants is Rs. 16 crores and what the Government get from the landlords is only Rs. 2 crores 93 lakhs. You are realising Rs. 16 crores and you are paying only Rs. 2 crores 90 lakhs. If that is so, then surely when there is an economic depression it is too much to ask Government to give them relief. Government may legitimately ask them as to how you have fared in the prosperous years. Sir, I have sympathy with the landlords but I think such economic depressions as you are going through at present gives rise to a necessity for the landlords to realise their position from time to time. I think on an occasion like this I cannot allow this motion to pass unchallenged as a member of the House because I feel that the economic depression is a necessary evil.

Sir, the members of the House are no doubt aware that capital punishment was abolished in Kansas and certain other states in America. Since the abolition there has been so many cases of murder that the States are thinking of getting back to the capital punishment. I personally do not advocate capital punishment but I mention this by way of illustration that once you take away the rigours of the Rent Law it will be very difficult for Government to realise rent from the landlords and the situation would be very difficult for the District Magistrates. Fancy a situation arises when a landlord realises every bit of the tenants' bill but instead of paying the Government ask the District Magistrate to give him six months' time to pay up. During that six months he realises all his dues subsequently accrued but asks for another six months to pay up his revenue. At the end of that time his estate is sold up for non-payment of revenue. The new purchaser cannot realise his dues from the tenants but he will have to pay for the previous landlords' default all the same. If the Rent Law is relaxed this sort of thing is bound to happen. Landlords ought to be thankful that they are not charged any income-tax and that they have got to pay a fixed rent.

Mr. SHANTI SHEKHARESWAR RAY: Sir, I would not have intervened in this debate but for certain attack made by Khan Bahadur

Azizul Haque upon the landlords of Bengal. Well, Sir, I do not think that the interests of the landlords are in my special care. I represent a general constituency here. My constituency, however, consists of landlords too, and when there is an attack on them and when I feel that the attack is unjustified, I think I should raise a notice of protest. The Khan Bahadur has suggested that the landlords of Bengal enjoy special privileges.

Khan Bahadur Maulvi AZIZUL HAQUE: I never said that. All I said was that they take 16 and pay only 2 and that they should not grumble.

Mr. SHANTI SHEKHARESWAR RAY: That may be so, but I do not think it is an unearned income. You know the shareholders in jute sales get 25, 30 and 500 per cent. on the money invested by them and they make this profit as a result of their forethought and on account of their business acumen. Most of the landlords of Bengal when they first acquire their property invest a large sum of money on them and if they make any profit out of their lands, it is only a business proposition and they are clearly entitled to it—it might not have been their forethought—it might have been their ancestors. So far as stringency of Revenue Sale Law is concerned, is my friend prepared to extend it to the case of tenants also? Their land is not sold up so easily if they fail to pay. From my personal experience I can say that.

Raja Bahadur BHUPENDRA NARAYAN SINHA, of Nashipur: Sir, I am glad that my friend Khan Bahadur Maulvi Azizul Haque has given a gratis advice to the landlords and the sympathy he has shown to them. Though he is a great calculator and always goes with facts and figures, he has made a great blunder in calculating the profit and loss calculation for the zamindars. He has forgotton the fundamental principle in the present case.

Sir, he must know, as we all know, there are a few original landlords, practically nil, at the present moment, whose ancestors took settlement at the time of the Permanent Settlement.

Most of the landlords have invested their money as a business problem for the purchase of the lands.

Certainly, Sir, they are entitled to a profit of certain percentage on their investment. But what percentage are they getting at present? Has the Khan Bahadur ever calculated it? They are not getting even 2 or 3 per cent in the investment. Is this a high profit for which the Khan Bahadur grudges? Does he think this is an exorbitant profit.

Khan Bahadur Maulvi AZIZUL HAQUE: You should have sold out your property as quickly as possible.

Raja Bahadur BHUPENDRA NARAYAN SINHA, of Nashipur: If Khan Bahadur is so very anxious to purchase the landed property, the landlords will be glad to sell it.

The one thing that strikes me is that no account is practically taken of the fact that zamindars have invested a large sum of money like any other business men and that their profit is so small. It may be that their total collection is Rs. 16 crores or so, but what of that. The percentage of profit and loss should be taken into account and not the gross collection.

Babu SATYENDRA NATH ROY: I am sorry that Khan Bahadur Azizul Haque knowing the facts full well should have raised this note of objection. Everybody in this House is aware that landlords have got to pay quarterly *kists*, generally in the months of January, March, June and September each year. Every body I think is also aware, and the Khan Bahadur as a lawyer is also aware, that rent suits against tenants are filed in a very large number of cases on what is known as the *Tamadi* day *i.e.*, the last day of the Bengali year and only a limited number of landlords have got the right to realise their rents by means of the certificate procedure. But other landlords have got to go to the civil court for realisation of rent amounting to Rs. 5 or Rs. 10 up to thousands, and for this they have got to go through the whole gamut of legal proceedings and all the difficulties of a decree-holder once he gets a decree. They do not get their profits like the Electric Supply Corporation in their offices by giving rebates or like the jute mill-owners who get about 500 per cent. dividends. Every body knows that capital here is shy of zamindaries and that people are reluctant to purchase zamindary properties because of the great risk. So if the zamindars have invested almost their all in land why should you find fault with them? These facts are well-known to the Khan Bahadur and I do know why he objects to the motion.

Babu KISHORI MOHAN CHAUDHURI: I am afraid the arguments of Khan Bahadur Azizul Haque are based on a miscalculation. He says that the zamindars of Bengal make an income of Rs. 16 crores, and out of this they pay as land revenue only Rs. 3 crores and 13 crores go to their own pockets. I am afraid he has not taken into consideration the establishment charges which they have to incur to make collections of rents. It is generally ten per cent. but in some cases it is not sufficient. Even in Government-managed estates that is the amount. They have also to keep their body and soul together and maintain their families. Somehow or other they have got some money and purchased properties and invested their entire wealth in the purchase of land at great risk. They have also to submit to the demands of the authorities now and then. These things are not taken into consideration but it is simply said that because they get 13 crores

into their pockets as profit they are getting too much and should not grudge to pay their revenues to Government. If that sort of argument is advanced then it may also be asked—what do the raiyats pay? The raiyat pays perhaps one rupee per bigha or so while he earns at least Rs. 8 or Rs. 10. Why may it not be urged that because he gets so much and pays so little to his zamindar, he should not be shown any mercy? The zamindars complain that because the raiyats are not in a position to make regular payments, it becomes difficult for them to pay their revenue to Government regularly. It is not on account of their poverty that they are not in a position to pay. Because they are not in a position to realise the full amount of their rent from their tenants or a sufficient amount to meet their ordinary charges that they have made this complaint. I think, and as I have already said, Mr. Haque's arguments are based on a miscalculation. I have also shown that his arguments apply equally to the raiyats. Does he mean to say that the raiyats should not be shown any consideration? If that is his view then in no case can consideration be shown to anybody for his poverty. Because we can retort—why should he have spent too much on himself and not made provision for the future? It is true that some zamindars do not regulate their expenditure, who spend much more than they earn and thereby run into considerable debt. But that is not the case with zamindars alone but with others also. The raiyats are also heavily indebted and in fact their indebtedness is proverbial. Merchants and professional men also are in debt. It can also be said that the raiyats spend more than they can earn. Such things Sir, are unavoidable to any person and it is for this reason that I rise to say a few words in support of the motion.

Dr. NARESH CHANDRA SEN GUPTA: It is unfortunate that Khan Bahadur Azizul Haque should have raised this issue as between the landlord and the tenant on this motion. I am in complete sympathy with my hon'ble friend and I think there is no answer to his argument and no answer has been even attempted by any of the speakers who have spoken on behalf of the landlords. Landlords whether they are original landlords or not, have got enough from the land and if they had acted prudently and put aside a reserve fund as a matter of convenience and as business men do—about whom they are so very eloquent to-day—they would not be in this difficulty to-day. Besides, there is one thing which is conveniently forgotten by those who speak for the landlords. We have heard a great deal in this connection of business men who were sought to be pitted against these landlords. Business men, professional men and others also are suffering from difficulties this year, difficulties which are not a whit less than those of the landlords. What is their position to-day? They are not being given any relief by the Government. On the contrary there is the impending increase in income-tax. The income-tax is going to be

nearly doubled in some cases. They do not complain, they cannot complain and they cannot be a party to any complaint. So I think the arguments of the Khan Bahadur are unanswerable and I would specially draw attention to one circumstance. Mr. Khetter Mohan Ray has made a point of the fact that the raiyats by reason of the economic distress due to the fall in the price of jute have not been able to pay their rents and therefore landlords have not been able to pay their revenue. Well, that raises a very pertinent question. What have the landlords done to prevent the raiyats from falling in their present position? I am perfectly sure that if the landlords did their business properly the raiyats would not have been in the position in which they find themselves to-day. If the zamindars realised that their lives and well-being depended upon the well-being of the tenants, they would have co-operated with the tenants and made common cause with them in order to advance the economic uplift of the people and would have saved them from distress in spite of whatever distress there might have been all over the world. Not only that, but since they realised the impending danger there were some of us who had been moving heaven and earth to devise means for the purpose of preventing the great slump. There have been, it must be said to their credit, zamindars, a certain number of zamindars, who have co-operated in this matter but what has the great bulk of zamindars done? They might have done a great deal, even at the present moment when an intensive propaganda is being carried on by some people in order to reduce the cultivation of jute, the zamindars have not used all the influence and the power and the organization they have got for the purpose of asking the tenants to reduce the cultivation of jute, and if that is the reason why Mr. Khetter Mohan Ray calls upon the Government to show them some indulgence, I should say that their negligence has been criminal and would disentitle them to any consideration. As I said, all this would be a perfectly relevant and unanswerable argument, if it were a question of big zamindars alone. But there are small landlords, men who carry on a precarious living out of their lands, men who should not exist in a sound economic system, men who should have been eliminated long ago; but the vicious system has brought them into existence and you have no right to starve them out because of the evil of the economic system. Well, when I consider the cases of these persons I cannot but think that they are entitled to a considerable amount of consideration on the part of Government. It is for this reason that although I feel very strongly with the Khan Bahadur in this matter, I would not give my support either way.

5-45 p.m.

The Hon'ble Sir PROVASH CHUNDER MITTER: Sir, the present debate shows—and this has been demonstrated on other occasions also—

the want of wisdom on the part of the protagonists of the landlords like my friend Mr. Khetter Mohan Ray in raising a point like this, namely, that the Revenue Sale Law should be amended. This law has been in existence for 72 years and has on the whole worked satisfactorily. Mr. Ray has heard the arguments of Khan Bahadur Azizul Haque, and his figures have been challenged. Other landlords have tried to give a reply, but if the landlords had given a little more attention by the study of their problems, I think they would not have raised the question. The present debate shows that the landlords cannot plead their own cause and are not familiar with the figures from which the Khan Bahadur has quoted.

However, Sir, the position of Government is this. The Revenue Sale Law is in force in order to secure the punctual realisation of revenue. The revenues of zamindars in Bengal were fixed in perpetuity on condition that they would be punctually paid. The provisions of the Sale Law are no doubt stringent, but they are so in order to enforce the punctual payment of revenue. These provisions can hardly be altered without affecting the punctual realisation of revenue, the basis of the Permanent Settlement. The landlords should realise that if they want to remove the stringency of the Revenue Sale Law, they should be prepared for a change of the Permanent Settlement Regulation. If they want a change in the one, they must be prepared for a change in the other.

The original sale laws in force immediately after the Permanent Settlement were very rigorous and entailed disastrous consequences to the zamindars concerned, providing even arrest and confinement for arrears. They have been gradually tempered down and the present Act provides as many facilities and safeguards against sale as possible, compatible with the obligation to pay up the revenue punctually. With slight modifications from time to time the Act has worked satisfactorily for the last 72 years and it should not be modified unless it becomes absolutely necessary to do so. If, on the other hand, any definite suggestion be made for amending the Act to give further relief to the zamindars, without hazarding the punctual realisation of the revenue, it will certainly be considered by Government; but I may tell them in advance that I do not see how they can make any suggestion under the Permanent Settlement Regulations by which relief can be given to the zamindars, while adhering to their promise to pay revenue punctually. I may inform the House that under the Touzi Manual the remission of revenue can only be made under certain conditions.

In a permanently-settled area, in which under the rules of the Bengal Famine Code, test-works have been opened, a proprietor may apply for suspension of collection of the revenue of any estate situated within the area in which test-works have been opened. The applicant

shall give a written undertaking not to collect any rents, either directly or through the medium of the courts, from his tenure-holders and raiyats during the period for which he applies for suspension of revenue, and shall satisfy the collector from the zamindari accounts and from such inquiries as the Collector may find it possible to make, that there are substantial current and arrear rents which have not been collected.

The collector shall submit such applications with his recommendations through the Commissioner for the orders of the Board of Revenue and where the amount involved exceeds in the aggregate Rs. 25,000 in any one district, for the orders of Government.

I submit, Sir, the provisions of the Revenue Sale Law and the administrative rules of the Touzi Manual deal with these matters conclusively and the resolution must be opposed. But there are certain other resolutions which do not, if I may say so, foolishly ask for the amendment of the Revenue Sale Law, and I can assure the House that the suggestions made by the movers will then be sympathetically dealt with.

Rai Bahadur KESHAB CHANDRA BANERJI: I regret I could not fully listen to the rather exhilarating speech made by Khan Bahadur Maulvi Azizul Haque, as I had gone out, and his castigation of the landholders as a community.

Khan Bahadur Maulvi AZIZUL HAQUE: Sir, I did not speak against the landholders as a class. What I said———

Mr. PRESIDENT: Order, order. You cannot speak when another member is in possession of the House.

Khan Bahadur Maulvi AZIZUL HAQUE: On a point of order, Sir. Is a member entitled to reply to another member depending merely on hearsay statements?

Mr. PRESIDENT: There is no cause for showing such impatience, Khan Bahadur. You had better wait and hear what the Rai Bahadur says.

Rai Bahadur KESHAB CHANDRA BANERJI: In criticising the zamindars the Khan Bahadur has only justified his existence as a member of the *proja* party which he represents in this House. I am really surprised at the attitude taken up by the Khan Bahadur who as an enlightened person ought to know better. I am not at all surprised at the attitude taken up by Dr. Naresh Chandra Sen Gupta.

Maulvi TAMIZUDDIN KHAN: On a point of order, Sir. Is discussion allowable after the Member-in-charge has replied to the debate?

Mr. PRESIDENT: I do not see that there is any bar to it. If the member adduces any new point, the Hon'ble Member-in-charge will be entitled to give a further reply.

Khan Bahadur Maulvi AZIZUL HAQUE: Sir, the practice is for the Hon'ble Member-in-charge to reply at the end of the debate after which no further discussion takes place.

The Hon'ble Sir PROVASH CHUNDER MITTER: Sir, I do not think that further discussion will advance the cause of either the landlords or the tenants. The subject matter of the motion does not require any acrimonious discussion. I make this appeal to both sides of the House.

Khan Bahadur Maulvi AZIZUL HAQUE: Sir, I never made any reflection on the zamindars. What I said was that in view of the fact that the landlords realised much more in time of prosperity, it was bad business to demand the full amount of rent from the tenants in the time of their adversity.

Rai Bahadur KESHAB CHANDRA BANERJI: After what has been said by the Hon'ble Member-in-charge, I do not wish to proceed with my speech further.

Babu KHETTER MOHAN RAY: In view of what the Hon'ble Member-in-charge has said, I beg leave of the House to withdraw my motion.

The motion of Babu Khetter Mohan Ray was then, by leave of the Council, withdrawn.

Mr. PRESIDENT: We shall have one discussion on motions Nos. 17, 18 and 22.

Raja Bahadur BHUPENDRA NARAYAN SINHA, of Nashipur: Sir, I beg to move that the demand of Rs. 5,81,500 under the head "5A.—Charges of Administration" be reduced by Re. 1.

I want to draw the attention of the Hon'ble Member to the serious economic situation which has made collection of rent and payment of revenue, especially of the next *kist*, extremely difficult and to request some relief for the landholders. In this connection, I would like to point out that I do not want any concession or relief with regard to

revenue law or any other law. But I would make some general observations. Sir, it is useless for me to dilate on the circumstances in which the country, especially Bengal, has been placed, owing to the slump in the jute trade and to the fall in the prices of paddy and other crops. Sir, you are one of the biggest landlords of Bengal and you know full well the circumstances which prevail in the country at the moment. The Hon'ble Member-in-charge also knows full well the present conditions. He is not only a landlord himself but he has represented the landlords in this Council for years and years. Sir, the Finance Member has also admitted that owing to the economic distress there has been a definite want of ready money amongst the cultivators. The consequence is that the cultivators as a class have suffered, but the worst sufferers are the landlords. The landlords cannot realise the rent in time, but they have to pay the *kist*-money to Government in time. Then, Sir, the sunset law is there and no concession of mercy will be shown to them with regard to the payment of revenue, whatever difficulties they may be placed in. Sir, since September last, we have been clamouring for the stringent economic conditions prevailing in the country and we have already drawn the attention of Government to the matter by sending a resolution adopted at a conference of the landlords and submitted some definite proposals for the consideration of Government, but I am sorry to say that the Government have not taken any steps up till now. Amongst the proposals there were certain ones made by my friend Kumar Shib Shekhareswar Ray. One proposal was that the Imperial Bank of India should make advances to the landlords, but I think this will not be possible at the present time. The Imperial Bank, as a matter of fact, is not under the control of the Bengal Government, nor do they advance money on the security of landed property. So it will take time, as if the Government of Bengal wants to deal with the matter, they will have to refer it to the Government of India, and it is not possible to do this within such a short time. The next suggestion of his is more practical, namely, that advances should be made by the Government to the landlords as a class. This proposal can be adopted, but the Government may take the plea that they cannot advance the money without first thoroughly examining the financial conditions. Sir, if this suggestion be taken into consideration, I have nothing to say, but I am sorry to say that nothing has been done since September last in spite of our repeated demands. The third suggestion that I make in this connection is to reduce the rate of penalty in the case of default. Sir, when the landlord cannot pay his revenue, his estate is advertised for sale, and if he is able to pay the penalty at the rate of 25 per cent. of the amount defaulted, his estate is exempted from sale and the estate is thus saved. Sir, 25 per cent. is a very high demand. If you calculate on the basis of profit, it will come up to about 150 per cent. of the annual profit. On the other hand, Sir, at the present moment we

cannot blame the landlords, because under the present conditions, owing to the depression of trade and other causes, they cannot realise rents and consequently they are placed in an awkward position when they cannot pay their revenues in time.

6 p.m.

I appeal to the Hon'ble Member to reduce the penalty and take interest at the rate of, say, 6 or 12 per cent. per annum which is generally taken from the tenant. This is my humble suggestion. Another suggestion of mine is that the sale which generally takes place at the end of two months should take place at the end of four months. We have been waiting for better days from September last, but instead of improving it is growing worse. We expected that the price of jute, paddy and other crops would improve and the loss suffered would be compensated to some extent. But unfortunately we are faced with worse condition. I appeal for these reasons to the Hon'ble Member to fix the date of sale at the end of four months instead of two months. This he can do by the exercise of his executive power without changing the law. With these words I commend my motion to the acceptance of the House and specially to the Hon'ble Member.

Rai Bahadur KESHAB CHANDRA BANERJI: Sir, the subject-matter of the motion which I rise to support is well-known to everybody. The widespread economic distress now prevailing throughout Bengal due to the slump in the jute market and to trade depression generally, has seriously affected the landholding community. I may say, Sir, that their condition has become precarious. During the nine months that the distress has been prevailing, the landholders have not only not been able to collect the amount required for payment of Government revenue but they have found it extremely difficult to meet their ordinary expenses of daily life even after curtailment of expenditure to the absolute minimum. I know of estates, Sir, that have not been able to pay their staffs whose salaries are heavily in arrears. Difficulties are also being experienced by the Court of Wards estates, of which the Hon'ble Member in charge of the Revenue Department is well aware, in repaying interests on loans and in meeting other expenditure in spite of the fact that these estates stand on a different footing and enjoy greater privileges, *viz.*, the realisation of rent by the certificate procedure, etc., than the estates under private management. The question of giving relief to the landholders has been brought insistently to the notice of Government, but unfortunately no action appears to have been taken in this direction. The different zamindars' associations in the province have urged the postponement of collection of revenue and cesses for some months until better times come and suggestions have also been made for granting loans to the landholders on easy terms on proper security. It was only the other day that

Kumar Shib Shekhareswar Ray brought prominently to the notice of Government the present miserable plight of the land-owning community in connection with the general discussion on the budget and emphasized the necessity for advancing loans to them through the Imperial Bank of India.

Sir, I need hardly dilate upon the extreme urgency of the question and before I resume my seat, I would request the Hon'ble Member to indicate the attitude of Government in regard to this important matter. Sir, the effects of this economic distress will be the ruin of many private estate-owners. Eighty-four zamindars in the district of Rangpur failed to pay their January *kist* of revenue and a considerable number of them failed in other districts. In the district of Mymensingh alone the loans given to landlords by private *mahajans* amount to over Rs. 6,00,000 which reveals an appalling state of things.

Sir, I feel I ought not to let this opportunity pass without clearing up the position of the much-maligned landholding community. Khan Bahadur Maulvi Azizul Haque and Dr. Naresh Chandra Sen Gupta have condemned the zamindars as a worthless class of people while speaking on the motion of Babu Khetter Mohan Ray———

Mr. PRESIDENT: I think you had better not dilate upon that any more.

Rai Bahadur KESHAB CHANDRA BANERJI: Sir, I wish only to remove certain misconceptions which prevail about the zamindars. I want only to refer to the charity and benefactions of the landholders in various branches of public life and to show that they have not been unmindful of their obligations in the past. However, I obey your mandate.

The Hon'ble Sir PROVASH CHUNDER MITTER: I think motion No. 26 may also be discussed along with this motion. Motion No. 32 also refers to survey and settlement.

Mr. PRESIDENT: We might take up motions Nos. 18 and 26 together.

Babu KISHORI MOHAN CHAUDHURI: I beg to move that the demand of Rs. 10,85,000 under the head "5B.—Management of Government Estates—Collection of Revenue" be reduced by Rs. 2,00,000.

I also move that the demand of Rs. 18,79,000 under the head "5C.—Survey and Settlement" be reduced by Rs. 2,00,000.

Sir, my point is this. I see in the budget that the income of the Government estates amounts to about Rs. 70 lakhs and the estimated expenditure for management of those estates is a little over Rs. 11 lakhs. Now, that is a very high percentage. I think 10 per cent. ought to be the proper charge and in that view I suggested that there

might be a reduction in the demand. It is very difficult to say in what way the cost could be reduced. The certificate procedure is a very simple procedure by which money can be realised easily. The charge is unreasonably high and in that view I suggest that we should not be in a position to spend much. Is it not proper that we should economise? But how that can be done I do not elaborate as I think it is for the Government to find out how that can be done. The certificate procedure and other not very costly machineries may be utilised for the purpose.

As regards the other question about the landholding class, the real difficulty is that the raiyats are not in a position to pay and the money market is very tight. The banks and money-lenders are also not in a position to advance money even on sufficient security. It is not only the case with the zamindars, but also with the raiyats and the merchants. The zamindars' difficulty is not due to their own mismanagement or extravagant habit, but on account of the raiyats not being in a position to pay their rent. It is also due to the difficulty in raising money even on the security of their properties. In view of this state of affair, Kumar Shib Shekhareswar Ray asked that some arrangements might be made by Government to give an opportunity to the landlords to mortgage their properties with the Imperial Bank. If that could be done, it would be a great benefit to the zamindars. In the case of raiyats some money has been advanced, but that is not at all sufficient, although it must be admitted that it would give them some relief. But the zamindars are in a very sad plight and the real difficulty lies in not being able to render them any assistance. If some means can be devised by which that state of thing can be avoided, it would be a real boon to them.

As regards my motion No. 26, my point is that the survey and settlement operations should be postponed. In some places it is absolutely necessary that these operations should be carried on, but a large amount need not be spent. The provision is Rs. 18,79,000. Out of that I suggest that only Rs. 2 lakhs be cut down. My suggestion is that you need not take up the settlement of all the districts. New works may be postponed. There would be no difficulty in taking them up a few years hence. It is in this view that I make this suggestion that the provision be reduced by Rs. 2 lakhs.

The Hon'ble Sir PROVASH CHUNDER MITTER: I should like to know if you have any definite suggestions to make.

Babu KISHORI MOHAN CHAUDHURI: I have already suggested that new works may be postponed. If that can be done, the expenditure can be curtailed. That is my humble suggestion.

(At 6-15 p.m. the Council was adjourned for prayer and it reassembled at 6-30 p.m.)

The Hon'ble Sir PROVASH CHUNDER MITTER: Sir, as there is hardly any time before the guillotine would fall, I should like to say a few words in reply.

The Hon'ble Raja Bahadur BHUPENDRA NARAYAN SINHA, of Nashipur: I beg to move that the demand of Rs. 18,79,000 under the head "5C.—Survey and Settlement" be reduced by Re. 1 (desirability of postponing all survey and settlement operations in view of serious economic distress till better times come).

Khan Bahadur Maulvi AZIZUL HAQUE: Sir, I will just say one word in order to remove a misunderstanding and to make our position clear as regards any change in the revenue sale law. We are, however, in full sympathy with the proposition that in view of the present abnormal distress some relief should be afforded to the landlords as regards the payment of their rent. But what should be the nature of the relief it is not for us to look into. It may be done according to rules laid down in the Revenue Manual or by any other means which may be deemed fit by the Government; but we do think that some sort of relief is necessary for the landlords at present. At the same time I hope that in affording relief to the landlords I will make it clear to them that they are also expected to afford corresponding relief to their tenants.

The Hon'ble Sir PROVASH CHUNDER MITTER: Sir, I have to deal with items 17, 18, 26 and 31. I will take No. 18 first because that will shorten the discussion. Babu Kishori Mohan Chaudhuri in his interest to serve the public has discovered that Government in the management of Government Estates spend a considerable amount of money and that the management charges are too high. May I point out to him that figures under head 5-B in the budget do not represent merely collection charges. These figures are made up of the following items:—

	Rs.
(1) Colonisation of Sundarbans	2,26,000
(2) Payment of road and public works cesses ...	4,79,000
(3) Rent of Company Bagan at Krishnagar ...	1,000
(4) Payment of occupiers' share of taxes of buildings within the Calcutta Corporation ...	52,708
(5) Agricultural improvements	50,000
(6) Raiyatwari settlement in Bakarganj ...	4,800
(7) Outlay on improvement	50,000
Total ...	8,63,508

Deducting this amount from Rs. 15,45,000 provided under "5.—Land Revenue—Management of Government Estates" for 1931-32, we get Rs. 6,81,492 or Rs. 7,00,000 in round figures. This is 10 per cent. of the estimated collection from Government estates in 1931-32 amounting to Rs. 70,00,000.

According to Babu Kishori Mohan Chaudhuri we should have managed with 10 per cent. I have now pointed out to him that we do manage it with 10 per cent.

With regard to the motion standing in the name of Raja Bahadur of Nashipur I have had a practical suggestion from him. So far as he is concerned, he realizes that it is neither right for the landlords to ask for suspension of revenue nor is it right for the Government to suspend the punctual payment of land revenue. He has asked for relief in another form. I shall presently deal with that. But before I do so, let me take up the suggestion of Rai Bahadur Keshab Chandra Banerji to the effect that loans should be granted by the Imperial Bank to the landlords. The same suggestion was made the other day by my friend, Kumar Shib Shekhareswar Ray, but I may remind my hon'ble friends that it is known to everybody that this Government have no control over the Imperial Bank nor with the granting of loans by that Bank. Even if in a friendly way we were to suggest to the Imperial Bank to advance loans to the landlords, they would, I have not the slightest doubt, desire to proceed on business lines: they would demand proper security, they would want to investigate titles, value the security and take other similar steps. Then again, I do not think that the Bank will agree to lock up their capital in immoveable property; but the suggestion about loans from the Imperial Bank is a matter for the zamindars themselves. This Government has no control over that Bank. If they want loans from any bank, they should approach the Bank and not approach the Government, and further it is not a matter which can be usefully discussed on the floor of the House. It is purely a matter of business and negotiations should be made with the banks themselves. If I may give the landlords a piece of friendly advice, I do not think it would be wise for them to pursue this line. At the same time, as has been pointed out by the Raja Bahadur and the Khan Bahadur, we all know that there is an acute economic distress in the land—and not for any want of food, but for want of money, that the cultivators have failed to pay the rent and consequently the landlords find it very difficult to meet the Government revenue, cesses and their other expenses. The position is a difficult one. Yet I cannot help saying that it would be foolish on the part of landlords to ask us to deviate from the provision of Revenue Sale Law. That would be doing away with their Charter of Permanent Settlement. We cannot deviate from the Revenue Sale Law. What happens when a landlord fails to pay is that his property is put up for auction but it is not put up to

auction at once. The Sale Law prescribes the procedure which has got to be followed. In case of a failure, notice is issued not only to the landlord, but also to the tenants about the default and the actual sale takes place some time afterwards. Formerly no relief was given, but in 1909, by an order of the Board of Revenue, it was directed that if the defaulter paid the demand with the prescribed penalty, the money would be received and the sale stopped. The maximum penalty was fixed at 25 per cent. This may be a very heavy penalty, but it is deliberately meant to prevent landlords from being defaulters. In view of the present economic condition, however, I consulted the Member in charge of the Board of Revenue and I may declare here that we are willing to fix the penalty at a nominal figure, say, 2 or 3 per cent., instead of 25 per cent. (Cheers.) I hope, Sir, this relief will satisfy landlords. They will have to pay their revenues in any case, subject to my insisting that there should be suspension of payment of revenue. I am willing to discuss other difficulties, if any. I can, however, discuss only feasible schemes. It must be remembered that Government themselves are in want of money as the budget statement will show. So it is not feasible for Government to grant the landlords loans in order to tide over their difficulties before the 28th of March.

I will now deal with Babu Kishori Mohan Chaudhuri's motion regarding the cost of settlement operations. I can only remind the hon'ble mover that not a single rupee under this head can be saved without making landlords and tenants of the province who are responsible for three quarters of the cost, to pay more. If he wants to postpone settlement operations, it means more expense to the landlords and tenants.

In answer to a question by Khan Bahadur Azizul Haque, I cannot promise any definite time.

Raja Bahadur BHUPENDRA NARAYAN SINHA, of Nashipur: In view of the declaration made by the Hon'ble Member-in-charge for which we are grateful, I beg to withdraw my following motion with sincere thanks on behalf of the zamindars as a class:—

"That the demand of Rs. 5,81,500 under the head '5A.—Charges of Administration' be reduced by Re. 1 (to draw attention to the serious economic situation which has made collection of rent and payment of revenue especially of the next kist extremely difficult and to request some relief for the landholders)."

The motion was then, by leave of the Council, withdrawn.

The motions of Babu Kishori Mohan Chaudhuri were then put and lost.

The following motion of Raja Bahadur Bhupendra Narayan Sinha, of Nashipur, was then put and lost:—

"That the demand of Rs. 18,79,000 under the head '5C.—Survey and Settlement' be reduced by Re. 1 (desirability of postponing all survey and settlement operations in view of serious economic distress till better times come)."

The motion that a sum of Rs. 41,11,000 be granted for expenditure under the head "5.—Land Revenue" was then put and agreed to.

The time-limit having been reached, the following motions under the head "5.—Land Revenue" were not called:—

Maulvi MUHAMMAD FAZLULLAH: "That the demand of Rs. 2,26,000 under the head '5B.—Management of Government Estates—Colonisation of Sundarbans' be reduced by Re. 1 (to protest against inadequate and inequitous settlement of land with the Moslems in the 24-Parganas district during the years 1929 and 1930, by the Colonisation Officer, Diamond Harbour)."

MUNINDRA DEB RAI MAHASAI: "That the demand of Rs. 14,62,000 under the head '5B.—Management of Government Estates' (page 33, Civil Estimate) be reduced by Rs. 101 (cost of management, etc.)"

Mr. R. MAITI: "That the demand of Rs. 14,62,000 under the head '5B.—Management of Government Estates' be reduced by Rs. 100 (necessity of taking immediate steps for amending section 26 of the Bengal Tenancy Act so as to allow the transfers without payment of landlords' fees in places where tenants had such right of transfer by local usage or custom, *e.g.*, tenants under Government khasmahals in the district of Midnapore)."

Maulvi MUHAMMAD FAZLULLAH: "That the demand of Rs. 14,62,000 under the head '5B.—Management of Government Estates' be reduced by Re. 1 (to criticise the policy of Government specially the Khasmahal Officer of Noakhali, in inequitous distribution of khasmahal lands of Noakhali)."

Haji BADI AHMED CHOWDHURY: "That the demand of Rs. 14,62,000 under the head '5B.—Management of Government Estates' be reduced by Re. 1 (to raise a discussion on the increase of expenditure in the Noabad Mahals of Chittagong)."

Raja Bahadur BHUPENDRA NARAYAN SINHA, of Nashipur: "That the demand of Rs. 14,62,000 under the head '5B.—Management of Government Estates' be reduced by Re. 1 (desirability of placing the rules for the assessment of temporarily settled estates on a statutory basis)."

Mr. K. C. RAY CHAUDHURI: "That the demand of Rs. 85,000 under the head '5C.—Survey and Settlement—Drawing Office' be reduced by Rs. 100 (to draw attention to the grievances of the Reproduction Section of the Bengal Drawing Office)."

Babu JITENDRALAL BANNERJEE: "That the demand of Rs. 18,79,000 under the head '5C.—Survey and Settlement' be reduced by Rs. 101 (working of the Air Survey)."

Mr. K. C. RAY CHAUDHURI: "That the demand of Rs. 18,79,000 under the head '5.—Land Revenue—C—Survey and Settlement' be reduced by Rs. 100 (to draw attention to the grievances of the employees of the settlement presses in Bengal)."

Mr. SYAMAPROSAD MOOKERJEE: "That the demand of Rs. 18,79,000 under the head '5C.—Survey and Settlement' be reduced by Rs. 100 (grievances of the employees of the settlement presses in Bengal and Reproduction Section of the Bengal Drawing Office)."

MUNINDRA DEB RAI MAHASAI: "That the demand of Rs. 18,79,000 under the head '5C.—Survey and Settlement' be reduced by Rs. 5 (to criticise the survey and settlement policy and the unsatisfactory manner in which the questions of title and right in holdings are being decided by the Settlement and Assistant Settlement Officers)."

Maulvi MUHAMMAD FAZLULLAH: "That the demand of Rs. 18,79,000 under the head '5C.—Survey and Settlement' be reduced by Re. 1 (to protest against the expensive system of Aerial Survey)."

Babu JITENDRALAL BANNERJEE: "That the demand of Rs. 57,900 under the head '5D.—Land Records' be reduced by Rs. 101 (working of the Department of Land Records)."

Rai Bahadur KESHAB CHANDRA BANERJI: "That the demand of Rs. 41,11,000 under the head '5.—Land Revenue' be reduced by Rs. 1,000 (steps should be taken to amend the rules under the Bengal Tenancy Act, 1928, regarding transmission of landlords' transfer fees)."

Babu KHETTER MOHAN RAY: "That the demand of Rs. 41,11,000 under the head '5.—Land Revenue' be reduced by Rs. 100 (to raise a discussion on the amended provisions of the Bengal Tenancy Act resulting in the diminution of the value of occupancy holdings and in the discouragement of their free transfer)."

Babu HEM CHANDRA ROY CHOUDHURI: "That the demand of Rs. 41,11,000 under the head '5.—Land Revenue' be reduced by Rs. 100 (to urge a provision for making over the excess amount, after meeting necessary expenses, of transmission cost of landlords' fees realisable under the amended Bengal Tenancy Act to the district boards within the respective jurisdiction of which such amounts are realised)."

Khan Bahadur Maulvi AZIZUL HAQUE: "That the demand of Rs. 41,11,000 under the head '5.—Land Revenue' be reduced by Rs. 1,000 (to urge that early steps should be taken—

(*1*) for early reduction of landlords' fee on sale of occupancy tenancies;

(*2*) for the abolition of the right of pre-emption;

(*3*) for the repeal of the present judicial procedure;

(*4*) for repeal of enhancement provision of the Bengal Tenancy Act, and

(*5*) for the grant of such rights to the tenantry as may truly fulfil the intentions of the Permanent Settlement)."

Maulvi TAMIZUDDIN KHAN: "That the demand of Rs. 41,11,000 under the head '5.—Land Revenue' be reduced by Rs. 1,000 [to raise a discussion on the provisions of the Bengal Tenancy (Amendment) Act regarding landlords' fee and pre-emption and their effect on free transfer of holdings and on revenue under 'Stamps and Registration']."

Maulvi ABDUL HAMID SHAH: "That the demand of Rs. 41,11,000 under the head '5A.—Land Revenue' be reduced by Rs. 1,000 (to criticise the attitude of Government in respect of the provisions regarding landlords' fee and pre-emption in the Bengal Tenancy Amendment Act resulting in the loss both to landlords and tenants by discouraging free transfer of occupancy holdings and in a substantial fall of revenue under 'Stamps' and 'Registration')."

Babu HEM CHANDRA ROY CHOUDHURI: "That the demand of Rs. 41,11,000 under the head '5.—Land Revenue' be reduced by Rs. 100 (to urge that steps be taken to reduce the rate of transmission cost of landlords' fees realisable under the amended Bengal Tenancy Act)."

Maulvi SYED MAJID BAKSH: "That the demand of Rs. 41,11,000 under the head '5.—Land Revenue' be reduced by Rs. 100 (thorough revision of the Bengal Tenancy Act, 1885)."

Maulvi NUR RAHMAN KHAN EUSUFJI: "That the demand of Rs. 41,11,000 under the head '5.—Land Revenue' be reduced by Rs. 100 (to raise a discussion as to the working of the Bengal Tenancy Amendment Act, its retarding effect on the transfer of occupancy holdings and the urgent necessity of taking immediate steps for the abolition of the right of pre-emption and the reduction of landlords' fee, etc.)."

Maulvi SYED JALALUDDIN HASHEMY: "That the demand of Rs. 41,11,000 under the head '5.—Land Revenue' be reduced by Rs. 100 (attitude of the Government in respect of the provisions regarding landlords' fee and pre-emption in the Bengal Tenancy (Amendment) Act resulting in the discouragement of free transfer of occupancy holdings and in a substantial fall of revenue under 'Stamps' and 'Registration')."

Maulvi HASSAN ALI: "That the demand of Rs. 41,11,000 under the head '5.—Land Revenue' be reduced by Rs. 100 [failure to take into consideration the prevailing economic distress specially of the raiyats and cultivators in preparing the budget of 1931-32 and also to discuss how the value of lands has enormously deteriorated owing to the provisions of the Bengal Tenancy (Amendment) Act of 1928]."

MUNINDRA DEB RAI MAHASAI: "That the demand of Rs. 41,11,000 under the head '5.—Land Revenue' be reduced by Rs. 2 (to raise a discussion about the temporary settled estates of Sunderbans and also to draw attention to bribery and corruption in the Collectorates)."

Khan Sahib Maulvi BAZLUL HUQ: "That the demand of Rs. 41,11,000 under the head '5.—Land Revenue' be reduced by Re. 1 (to urge upon the Government to take immediate steps to amend the Patni Regulation VIII of 1819 so as to empower the Collector to stop sale if the arrears and costs be paid to him before the sale is knocked down and also to set aside the sale if the entire demand with 5 per cent. of the purchase money to be paid to the purchaser as compensation be deposited with him within 30 days from the date of sale as provided in O. 21, R. 89, Civil Procedure Code, and also in the Bengal Tenancy Act)."

Khan Sahib Maulvi BAZLUL HUQ: "That the demand of Rs. 41,11,000 under the head '5.—Land Revenue' be reduced by Re. 1 [to draw attention to the urgent necessity of amendment of the provisions of the Bengal Tenancy (Amendment) Act, relating to payment of landlords' fees and exercise of right of pre-emption in case of sales of occupancy holdings]."

Mr. R. MAITI: "That the demand of Rs. 41,11,000 under the head '5.—Land revenue' be reduced by Re. 1 (early repeal of the enhancement provisions in the Bengal Tenancy Act)."

Maulvi SYED MAJID BAKSH: "That the demand of Rs. 41,11,000 under the head '5.—Land revenue' be reduced by Re. 1 (abolition of permanent settlement)."

Khan Sahib Maulvi BAZLUL HUQ: "That the demand of Rs. 41,11,000 under the head '5.—Land revenue' be reduced by Re. 1 (to raise a discussion about the legitimate demands of the Mussalmans in the matter of the appointment of qualified Moslems according to pupulation basis)."

Maulvi SYED JALALUDDIN HASHEMY: "That the demand of Rs. 41,11,000 under the head '5.—Land revenue' be reduced by Re. 1 (expenditure in an extravagant manner and highly paid officers)."

Haji BADI AHMED CHOWDHURY: "That the demand of Rs. 41,11,000 under the head '5.—Land revenue' be reduced by Re. 1 (imposition of penalty and taking exemption fee and interest on the arrears of rent)."

Maulvi SYED JALALUDDIN HASHEMY: "That the demand of Rs. 41,11,000 under the head '5.—Land revenue' be reduced by Re. 1 (scanty recognition of the claims of the rural and agricultural interests and inadequate provisions for the relief of the agriculturists when the price of jute has fallen abnormally low)."

6.—Excise.

The Hon'ble Mr. BIJOY PRASAD SINGH ROY: On the recommendation of His Excellency the Governor, I beg to move that a sum of Rs. 20,06,000 be granted for expenditure under the head "6.—Excise."

In moving this demand I feel that I owe an explanation about Excise policy of the Government in connection with which there are several motions on the agenda. The Government has been for the past few years following the policy of minimum consumption of alcoholic liquor and drugs and greater popular control over licensing and location of shops. In pursuance of this policy facilities of supply of liquor and drugs have been gradually restricted and shop sites have been continually brought under examination in reference to objection of local people. Complete control over the price of country spirit, hemp drugs and rice beer has been secured and minimum prices have been fixed for foreign

liquor. The following measures have been adopted with a view to give effect to the policy of restricted supply and control over consumption:—

(1) Levy of a sliding scale of rates of taxation on liquor and drugs with adequate and suitable regulations to control prices for the consumer.

(2) Gradual reduction in the number of places of retail vend.

(3) Effective control over the manufacture and wholesale vend.

(4) Regulation and gradual restriction of hours of sale.

(5) Suppression of illicit traffic as much as possible.

As a result of the recommendations of the Opium Inquiry Committee appointed in Bengal to inquire into causes of high consumption in the Calcutta Excise area and in the industrial centres of Serampore and Barrackpore the following changes in the rates of Treasury and retail prices as well as in the limit of retail price of sale have been made with effect from April, 1930, *viz.*:—

(*i*) Treasury price raised from Rs. 71 to Rs. 91 per seer throughout the whole province except for certain shops at the border of the district of Midnapore where the rate has been fixed at Rs. 76 per seer.

(*ii*) Retail price of opium has been raised from Rs. 130 to Rs. 150 per seer throughout the whole province except for certain shops of the district of Midnapore where it has been fixed at Rs. 135 per seer.

(*iii*) Limit of retail sale reduced from 3 tolas to 1 tola (180 grains).

6-45 p.m.

In Calcutta the quantity of country spirit sold in 1911-12 was 332,242 gallons; in 1920-21 it came down to 293,965; in 1925-26, it came down to 182,814; in 1926-27, 153,869; in 1927-28, 154,132; in 1928-29, 148,875; in 1929-30, 141,399. So also for the rest of Bengal in the year 1911-12, the figure was 796,784; in 1920-21 the figure was 766,572; in 1925-26, 632,351; in 1926-27, 627,962; in 1927-28, 591,935; in 1928-29, 583,804; in 1929-30, 575,121.

In the case of *ganja* the figure of consumption for 1911-12 in Calcutta was 22,422 seers; in 1920-21, 12,082; in 1925-26, 10,929; in 1926-27, 9,579; in 1927-28, 9,643; in 1928-29, 8,989; and in 1929-30, the latest year for which we have returns, 8,962 seers. For the rest of Bengal the figure of consumption for *ganja* for 1911-12 was 123,411; for 1920-21, 73,625; for 1925-26, 71,473; for 1926-27, 67,678; for 1927-28, 66,821; for 1928-29, 63,099; for 1929-30, 62,367.

So also in the case of opium the figures will show that consumption has considerably come down. In 1911-12, in Calcutta, it was 21,192 seers; in 1920-21, 12,996; in 1925-26, 11,515; in 1926-27, 11,097; in 1927-28, 10,977; in 1928-29, 10,926 and in 1929-30, 10,919. For the rest of Bengal the figure for consumption in 1911-12 was 66,729; in 1920-21, 42,634; in 1925-26, 39,945; in 1926-27, 39,792; in 1927-28, 39,778; in 1928-29, 39,504; in 1929-30, 39,741.

This will show that the consumption of excisable articles, liquors and drugs has come down considerably.

As regards the number of places for sale of country spirit, opium, *ganja*, *charas* and *bhang*, there is a considerable reduction and I shall quote certain figures:—

	Figures of number of shops.			
	Country spirit.	Opium.	Ganja.	Bhang.
Bengal—				
1911-12	1,277	1,022	1,434	232
1920-21	1,120	835	1,267	261
1926-27	941	859	1,218	315
1929-30	934	855	1,204	325
Calcutta (excluding Garden Reach)—				
1911-12	11	57	63	35
1920-21	64	41	45	19
1926-27	55	39	42	15
1929-30	52	39	42	18

All this will show that there has been some reduction in each of the above cases. The same is also the case with *charas* and other drugs and I need not trouble the House any longer by quoting figures. There has been an uniform reduction in the number of places of sale of these articles. Of course it has not been possible for one or more reason to accept total prohibition as the goal. There is always the difficulty of making a country dry by legislation and the result of such a process in other countries, for instance in America and also in Bombay, has not proved quite happy. I would like to quote a resolution of the Government of Bombay in this connection:—

"Rationing as part of the general policy of prohibition by gradual and progressive stages has been in operation since 1st April, 1922. The financial and other results of the working of the arrangement have been detailed at great length by the Government in their review of the excise administration department of the past six years. The experience of this period shows that the consumption of licit liquor has been considerably reduced without an appreciable improvement in the habits of temperance and the illicit distillation and importation of liquor *pari passu*. This

increase in the manufacture and consumption of illicit liquor is an unfortunate feature of the situation not only from the point of view of prohibition but also from the point of view of the welfare of the community, since apart from the loss of a source of revenue the flouting of the law is a danger to the body politic. Government accordingly feel that the time has now come when they should review the position as it stands as a result of 8 years' working of the experiment of rationing, and they have instituted inquiries to this end. The aim which they have set before themselves is to determine how without losing sight of the avowed goal of prohibition they can ensure that, so long as the liquor traffic is permitted by law, they derive a legitimate revenue from it and at the same time deprive the people of the fatal incentive to the manufacture and consumption of illicit liquor which at present prevails over a wide area of the Presidency."

On these grounds this Government is very nervous in adopting total prohibition as the ultimate goal though it has been advocated very strongly by certain hon'ble members during the last few years on the floor of this House. A definite advance has been made in the matter of the extension of popular control over licensing of shops and selection of sites. Besides Calcutta, Howrah and Bally there are elected licensing boards in the districts of Rangpur, Chittagong and Dacca and there are advisory boards in other districts. Government is seriously considering the proposal of extending the system of elected licensing boards to other districts and the matter is before Government and they are just awaiting the opinions of some of the district officers.

Mr. P. N. GUHA: It is not so in Calcutta.

The Hon'ble Mr. BIJOY PRASAD SINGH ROY: No, unfortunately at the present moment in Calcutta we have got a nominated board. Mr. Guha is perfectly familiar with the whole history which led to the appointment of a nominated board very much against their policy and desire of the Government. But I can assure the House that Government will take the earliest opportunity to reconsider this question.

As to the principle of licensing of excise shops with the exception of *tari* which are settled by auction, all retail country spirit, *ganja*, opium, *bhang* and *charas* licences are settled under the Bengal fixed fee system. Under this system the licence fees of the shops are fixed according to a graduated scale based on consumption, leaving a fair margin of profit to the licensees. One of the objects of the system is to raise the standard of honesty in the department by introducing new blood in the personnel of licensees by selecting educated and deserving men of the *bhadralok* class, the young educated middle classes of Bengal; so that they may earn a living. Whenever there are applications for licences from educated people Government in Calcutta as also outside Calcutta give

preference to such candidates irrespective of caste, colour or creed. This is the general policy which Government has been pursuing for the last few years with regard to excise in Bengal. There are cut motions in the name of several hon'ble members of this House most of whom are, I believe, for raising a discussion on certain points or for eliciting information. I can assure the hon'ble members that I shall be very glad to meet them and discuss with them and to place all available information at their disposal whenever they will come and talk the matter over with me.

With these words I beg to move that the demand be granted.

Adjournment.

The Council was then adjourned till 3 p.m., on Wednesday, the 18th March, 1931, at the Council House, Calcutta.

Proceedings of the Bengal Legislative Council assembled under the provisions of the Government of India Act.

THE COUNCIL met in the Council Chamber in the Council House, Calcutta, on Wednesday, the 18th March, 1931, at 3 p.m.

Present:

Mr. President (the Hon'ble Raja Sir MANMATHA NATH RAY CHAUDHURI, KT., of Santosh) in the Chair, the four Hon'ble Members of the Executive Council, the three Hon'ble Ministers and 116 nominated and elected members.

Starred Question

(to which oral answer was given).

Educational qualifications of the members of the Bengal Civil Service (Judicial).

*149. **Mr. MUKUNDA BEHARY MULLICK:** (*a*) Will the Hon'ble Member in charge of the Judicial Department be pleased to state whether it is a fact that up till recently (say 10 years ago) candidates from various classes were appointed in the Bengal Civil Service (Judicial) who possessed the minimum educational qualifications?

(*b*) Is it a fact that many candidates who were appointed as munsifs in the Bengal Civil Service (Judicial) with minimum educational qualifications, in time have been promoted to the grade of Subordinate Judges?

(*c*) Is it also a fact that some of these Subordinate Judges have been promoted to the grade of District and Sessions Judges?

(*d*) Is it a fact that at least two or three of such officers were elevated to the Bench of the High Court as Hon'ble Judges?

MEMBER in charge of JUDICIAL DEPARTMENT (the Hon'ble Mr. W. D. R. Prentice): (*a*) In the absence of information as to what is intended by the expression "minimum educational qualifications" it is not possible to answer the question. Most of the educational qualifications of the members of the Bengal Civil Service (Judicial) will be found in the Quarterly Civil List of Bengal, and it will be seen that all members of that service have the degree

of B.L. which is the only degree regarded as an essential qualification for the appointment of persons who are not barristers, advocates or attorneys.

(*b*), (*c*) and (*d*) For the reasons given in answer to (*a*) it is not possible to answer these questions.

Mr. MUKUNDA BEHARY MULLICK: Will the Hon'ble Member be pleased to state whether under the rules it is laid down that a candidate has to be a first class B.L. for an appointment as a munsif?

The Hon'ble Mr. W. D. R. PRENTICE: No.

Mr. MUKUNDA BEHARY MULLICK: Will the Hon'ble Member be pleased to state whether it is a fact that the officers who are ordinary B.Ls. and not first class B.Ls. are also promoted as Subordinate Judges and District Judges?

The Hon'ble Mr. W. D. R. PRENTICE: An officer is promoted entirely on his merits. What his educational qualifications are nobody cares. He is promoted entirely on his merits.

Mr. MUKUNDA BEHARY MULLICK: Will the Hon'ble Member be pleased to state whether it is a fact that there are at least two promotions to High Court Judgeships from the Bengal Judicial Service?

The Hon'ble Mr. W. D. R. PRENTICE: Yes, according to merit.

Rai Bahadur KESHAB CHANDRA BANERJI: Will the Hon'ble Member be pleased to state the number of officers————(inaudible in the Reporters' gallery).

The Hon'ble Mr. W. D. R. PRENTICE: I must ask for notice.

Rai Bahadur KESHAB CHANDRA BANERJI: Will the Hon'ble Member be pleased to state whether it is a fact that the Judges who are promoted to the High Court were neither M.A., B.L. or first class B.Ls. and only B.Ls?

The Hon'ble Mr. W. D. R. PRENTICE: I have no knowledge of what their degrees were.

Mr. B. C. CHATTERJEE: (Inaudible in the Reporters' gallery).

The Hon'ble Mr. W. D. R. PRENTICE: Appointments of Judges of the High Court are not under the Government of Bengal.

Maulvi SYED MAJID BAKSH: Will the Hon'ble Member be pleased to state whether in addition to the M.A., B.L. one has to practise for a certain number of years at the bar before they can be appointed?

The Hon'ble Mr. W. D. R. PRENTICE: I would refer the hon'ble member to the Act.

DEMANDS FOR GRANTS.

The discussion under the head "6.—Excise" was then resumed.

The following motions were called but not moved:—

Mr. NARENDRA KUMAR BASU: "That the demand of Rs. 100 under the head '6A.—Excise—Superintendence—Hill Allowances' be refused."

Mr. P. N. GUHA: "That the demand of Rs. 20,000 under the head '6C.—Presidency Establishment—Reward to private persons' be reduced by Rs. 10,000."

Mr. P. N. GUHA: Sir, I beg to move that the demand of Rs. 2,00,000 under the head "6C.—Presidency Establishment—Calcutta Collector's office" be reduced by Rs. 100 (policy in granting licences in Calcutta).

Sir, I would like to say a few words with regard to the administration of the Excise Department in the town of Calcutta. I listened very closely to the Hon'ble Minister last evening, but I am afraid I found nothing that could remove the impression I have formed about the administration of the Excise Department in the Presidency town. My main complaint is with regard to the policy, the avowed policy of the Government which is the discouragement of the drink evil. Sir, I am sorry to observe that this policy is not being honoured in the city of Calcutta.

Sir, the Hon'ble Minister admitted yesterday that the Licensing Board of Calcutta had no representative of the people on it. It is an entirely nominated body consisting of six members, namely, the Commissioner of the Presidency Division, the Commissioner of Police, the Collector of Excise, Calcutta, and three outsiders—Rai A. C. Banerjee Bahadur, Mr. Unsudowla and Mr. Thompson. Sir, Mr. Singh Roy said yesterday that I knew more about the history of the reconstitution of the Board than any one else did. Yes, Sir, I do know something about this. I know why the privilege was taken away from the people, but I never agreed with the Minister when he took that privilege away. There were two bodies privileged to send representatives to the Board—the

Calcutta Corporation and the Temperance Federation of Calcutta. Somehow or other the Government were not satisfied with the working of that Board and it was abolished and along with the nominated representative of the labour, Mr. K. C. Ray Chaudhuri had to go as well. An official Board has come in its place, but I do not think that it has in any way improved the situation.

Sir, two agencies are generally at work to fix the location of an excise shop, and they are the Calcutta Collectorate and the Licensing Board. The usual policy of the Government is to allow a shop in a locality if the people there present a demand for it. Now what really happens is this: A particular man with a capital when he finds a locality where an excise shop may prove to be a paying concern, goes round and collects signatures of the people living in the vicinity and sends such a signed petition to the Collector. The Collector then sends out his superintendent to inquire, but I may inform the House that the superintendent never takes the trouble of ascertaining the real opinion of the people, for it is directly against the interests of the department, whose existence depends largely on the increased revenue. The application is then placed before the Licensing Board by the Collector, who himself is the *ex-officio* Secretary to the Board. The Board sometimes invites objections and hears them, but in most cases the shop is sanctioned on the strength of the recommendation of the Collector.

Sir, I will give specific instances. You are aware that there are good many wine shops on Chowringhee Road and there is one just on the south side of Dwarkanath Mitter Square at Bhawanipur. In spite of all these, a shop was allowed to be opened three years back near the Alexandra Court. The shop stands in the vicinity of St. Paul's Cathedral, the Presidency General Hospital, new Institute of the Engineers, a Jewish school and a girls' school in the compound of the old London Missionary Society's Institution. Sir, objections were invited as usual in this case and the principal objector was Mr. J. M. Sen Gupta, who was then the Mayor of Calcutta. The shop is still there. Another instance like this is found in the new Alipore Stores located in the vicinity of your own house. This is the way in which things are managed by the Licensing Board and the Collector of Calcutta. Before coming here to-day a friend gave me a copy of the annual report of the Calcutta Temperance Federation. A passage in it reads as follows:—

"Attempts were made to give voice to popular local resentment and objections to the location and existence of country-spirit shops, Bars, restaurants, opium and *ganja* vending stalls. The petitions by the local residents of these objectionable sites and shops for their abolition or removal had been forwarded to the Excise Department and also in some cases to the Government (Minister) without the slightest relief being vouchsafed in any single case. The case of country-spirit shop in congested industrial area of Kidderpore and that of a *ganja* shop by which

a path for *purdanashin* ladies leads to public road, situated close to Raja Bazar and a very important crossing of public thoroughfares are glaring instances of total disregard by the department itself of its own departmental rules."

That is the experience of the Temperance Federation which has been deprived of the privilege of sending a representative to the Licensing Board. Sir, I can assure you that the number of wine shops has increased very considerably during the last few months. I may refer to a particular case. Some time back there was a craze in Calcutta, particularly amongst the young Europeans for Chinese food, and a Chinese restaurant in Blackburn Lane used to be patronised extensively. These people tried their best to come to the centre of the town, but the old Licensing Board refused to allow it. Sir, to-day a magnificent Chinese restaurant on the Central Avenue attracts the attention of every passerby. This is one of the actions of the new Board.

Then, Sir, the area bounded on the north by Beadon Street, south by Bowbazar Street, east by Upper Circular Road and west by Chitpur Road is known to be "the dry area" of Calcutta. Almost all the schools and colleges are located in this area and a very large number of students reside there. That is surely the reason why not a single excise shop is allowed to be opened in that area, but the authorities in their desire to compensate have allowed innumerable shops just outside the area all round. You cannot count their numbers. In fact the whole of Bowbazar Street from Sealdah to Lal Bazar is dotted with wine shops. That is the work of the new Licensing Board.

Sir, my friend, the Minister, said yesterday that the Board was trying to solve the problem of unemployment by giving excise shops to the young men of the *bhadralok* class. The theory is very good, but the Hon'ble Minister can take it from me that not even 5 per cent. of the shops in the city of Calcutta have been given to the young men of the *bhadralok* class. The present system is so defective that it is impossible for the authorities to oust a vendor at any time after a shop has been settled with him. This is due to the fact that the building in which a shop is allowed to be opened is taken lease of by the vendor and not by the Government. The result is that when the shop is attempted to be given to a new vendor, the outgoing vendor refuses to vacate the building and generally keeps the door of the shop shut. The incoming vendor finds it impossible to secure a new place and if by chance he secures one, the Licensing Board generally refuse to approve of the same, and the result is the continuance of the old arrangement in spite of the honest desire of the Minister to bring in new blood. Sir, in most cases the licence of an excise shop in Calcutta is a hereditary right. Very recently the vendor of a shop near the Bowbazar junction died and the licence has been given to his wife and minor son. I can cite innumerable

instances like this and I can also give the Hon'ble Minister a list showing that the new vendors are mostly related to the officials of the department. It is a scandal and I want the Minister to look into the whole thing. None of us need forget the fact that a scandal of this nature brought the downfall of a ministry.

Sir, the rule in the Excise Department is clear against granting a licence for more shops than one to a single person. I request the Hon'ble Minister to go to the Great Eastern Stores, the Empire Stores and Masda & Co. and ascertain to whom these stores belong. Scandals like these are going on in the Calcutta Collectorate for a long time and it is time that they should be stopped. I think that the Licensing Board should be reconstituted and more powers be given to it. The situation will never improve if the Calcutta Collector is on the Board, for his main business is to increase the revenue and his desire to increase the number of shops is only natural. Sir, I tabled this motion with the sole object of drawing the attention of the Hon'ble Minister to the scandal and I have done so. A strong broom and a firm hand are necessary to sweep the scandal and I hope that my friend will prove equal to the task.

The following motions were called but not moved:—

Maulvi ABDUL KARIM: "That the demand of Rs. 2,00,000 under the head '6C.—Presidency Establishment' be reduced by Re. 1 (settlement of excise shops by the Collector of Calcutta)."

Maulvi SYED JALALUDDIN HASHEMY: "That the demand of Rs. 20,06,000 under the head '6.—Excise' be reduced by Rs. 100 (policy of vending excise shops)."

3-30 p.m.

Mr. R. MAITI: Sir, I beg to move that the demand of Rs. 20,06,000 under the head "6.—Excise" be reduced by Rs. 100 (to raise a discussion on the policy of vending excise shops to women in the district of Midnapore).

Sir, the policy of vending excise shops had been severely criticised by the members of this Council from various points of view on occasions more than one, but none seem to have laid much stress on a very important aspect of the question which I should like to deal here presently.

Sir, for some time past there has grown some practice in the Excise Department of the Government to grant licences to females for sale of *ganja* and opium, country liquor, foreign liquors, etc. Last year we were told by the then Hon'ble Minister in charge of the Excise Department that the number of female licensees in Calcutta and Howrah is 23 and in the rest of the Presidency is 99 and we have yet to know

what is the number of such licensees in other districts of Bengal. It was further stated by him that in the case of *pachwai* shops in Midnapore it is the customary practice for women to carry on the business of brewing and therefore licences are given to them where men are not available. I am told, Sir, that the same state of affairs is still continuing. It is rather an astounding proposition that licences are given to women where men are not available If men are not available, it is better that there should be issued no licences at all, or for the matter of that, there should be no excise shops in that locality.

Sir, there can be no denial of the fact that the excise policy of the Government as a whole has already had a most degrading and degenerating effect upon the people of this country, especially upon the male population; but to contemplate to extend its operation to the womenfolk of this country is rather much more deplorable and, I should say, is beyond any human conception. The sooner this policy is abandoned the better.

Sir, the Hon'ble Minister might come forward with a plea that there is a marked tendency in the department not to grant licences to females but we will not rest satisfied unless and until a definite and settled policy has been laid down declaring the females of this country wholly unfit to hold licences for any excise shop. Sanctity of our zenana must be strictly upheld and should on no account be allowed to be interfered with by any such evil influence from outside. So long this is not done, I am bold enough to say that the people whom we are here to represent in this House, will certainly feel that their popular wishes are being totally disregarded by their popular Minister in charge of the department.

With these few words, Sir, I beg to commend the motion to the acceptance of the House.

Rai Bahadur Dr. HARIDHAN DUTT: I think it will not be improper for me to take part in the discussion about the Licensing Board of Calcutta, because my friend, Mr. Guha, has already pointed out that I happened to be one of the unfortunate members of that Board which had been done away with. But I take my stand here not as a member of the old Licensing Board. I am one of those persons who have taken an active interest in the propagation of the temperance movement in Calcutta. On the last occasion a year ago when this matter was before the Legislative Council, we were told that the Government was practically convinced of the mistake which was committed by the then Government in doing away with the old Licensing Board and we were given hopes that the Licensing Board question would again be taken up by the Government and proper steps would be taken to resuscitate and rejuvenate the old Licensing Board with representatives of the Calcutta Corporation, of the Temperance Federation, of the

Government and other interests on it. One year has now passed away and we have heard nothing excepting this that the Board, which is now working, is a good one and it will be allowed to continue its normal length of life which, I understand, is three or four years. If I am wrong, I hope to be corrected by my friend the Hon'ble Minister. Sir, the present situation is that the existing Licensing Board will function for another three years at least. So I thought it was useless for me to rake up the question of the reconstitution of the Licensing Board. But as Mr. Guha has already raised the question, I would like to point out that in Calcutta the Licensing Board has not got a single representative from the Calcutta Corporation. May I ask my friend the Hon'ble Minister and all concerned: is there any place in the whole civilised world where an important municipality is not asked to send a representative to the local Licensing Board? Why Calcutta has been singled out for this extraordinary neglect, I hope my friend will be able to explain. Leaving the Corporation to be taken charge of by the members who are now in possession of it—I have no longer the privilege of being a member of the Corporation—I speak as a member of the Temperance Federation. That Federation was given two seats on the Licensing Board and I was one of its representatives. What was our experience? We often found that we were to comply with the principle which had already been laid down and in almost every case when we tried to interfere we were baffled. Over and above, to add insult to injury, we were told that the old Board did not contain any representative of the Wine Association. The Bengal Chamber of Commerce, which still wields a large amount of influence over everything behind the purdah, if I may say so, came up to Government with the request that the Wine Association must have a representative on the Licensing Board. That was enough. The Government was so much influenced that after only a few months' existence the old Licensing Board had to go and a new Board came into being. In spite of the assurance given by the then Government that the Temperance Association would have adequate representation on any Licensing Board, nothing was done. Sir, it reminds me of a deputation which waited on the Governor along with the then Minister—I speak of the late Mr. B. Chakravarti—and we were told that the Temperance Federation would receive special seats on the Licensing Board. But because the Chamber of Commerce thought that the Wine Association must have representation on the Board, the whole thing was upset and we were asked to clear out and the old Board was done away with. Sir, I have nothing to say against the new Board. Personally I think it is quite satisfactory and I have not the slightest complaint against any individual member. But I submit if the Bengal Chamber of Commerce can persuade the Government to create a new Board, why cannot the Minister and the Cabinet, if they are convinced that a wrong has been done, do away with the present Board and reconstitute it in a manner which will meet with

the wishes of all concerned? Why should we wait for three years? I pause for an answer. Then, Sir, in all Licensing Boards all over the world the local bodies hold a pre-eminent position. Next to them all the world over, where there is any movement for temperance, that body is represented on the Board. But here, Sir, instead of these bodies, those who are interested in increasing the sale of alcohol have been given representation on the Board. That was the reason, Sir, why myself and Sir Devaprosad Sarbadhikari left the Board. We refused to sit with persons whose sole object was to make money by selling alcohol. Now that the question of principle has been decided, I think the Government will be very well advised to do away with the present Board and reconstitute it in the way it ought to be done.

3-45 p.m.

MUNINDRA DEB RAI MAHASAI: I beg to move that the demand of Rs. 20,06,000 under the head "6.—Excise" be reduced by Rs. 10 (encouraging and vending excise shops).

Sir, I was rather astounded to hear from a popular Minister in charge of the Public Health of Bengal that it has not been possible for more than one reason for the Government to adopt prohibition as their goal. According to him the panacea of the evil lay in restricted consumption of alcoholic liquor and drugs and greater popular control over licensing and location of shops. He had been careful to quote figures in support of the success which attended the efforts of the Government in restricting the consumption of intoxicants.

Sir, from my limited experience, I can vouch that his statement does not tally with the actualities so far as my municipality is concerned. Sir, there existed, till a few years ago, a flourishing industry in *gur*-making from date juice in Bansberia, but I now find that almost all the date trees have been taken on lease by excise contractors for the preparation of toddy. I find the toddy shops always full of people indulging in *tari*-drinking. In the absence of any sort of picketing, the country liquor shops are in a very very flourishing condition. The vendor of the Bansberia wine shop has been able to build *pucca* houses not only for his shop and for the accommodation of his customers but also for the sale of several sorts of what is called *chat* for the drunkards. It is unfortunate that I happen to be the owner of the land over which his building stands. Formerly there was no foreign liquor shops at Bansberia. People accustomed to those civilised drinks had to procure them from Chinsura—a distance of six miles. The Excise Department ever mindful to the interests and convenience of consumers have helped to remove this want and allowed the opening of a foreign liquor shop at the heart of the town. This has undoubtedly added to the amenities of civilised life. For the gradual decrease in consumption of intoxicants, the Excise Department has been gracious enough to allow two

country liquor shops, two *tari* shops, one foreign liquor shop and two drug shops on the Bansberia Strand Road within 3½ miles. This is an instance to the point to show the solicitude of the Excise Department for the restricted consumption of intoxicants within my municipality. True, there is an Excise Advisory Committee to which I happen to be an *ex-officio* member. The other members are the District Magistrate, the Superintendents of Excise and Police and two other Commissioners of the municipality. Sir, you will be surprised to hear that when the last meeting was held, there were proposals from three of the Commissioners to add three more drug shops—one in Ward 3 advocated by the Mill Manager Mr. Robertson for the convenience of the mill hands, one by the Vice-Chairman for one shop in Ward 2 and the other by a Commissioner of Ward 1, who wanted a shop in his ward. The District Magistrate presides over these meetings but on the day of the meeting the District Magistrate was away, and I had the misfortune to preside. Had not the Excise Superintendent, Mr. Deefholts, sided with me in opposing the proposals, I shuddered to think of the future of the town under the influence of the stupefying drugs. At the fag end of 1930, a proposal emanated from the District Magistrate about the formation of a Licensing Board for the whole district in which all the municipalities were asked to send one representative each to elect only one member for the Licensing Board. One member in the Licensing Board to represent all the municipalities in the district was thought quite inadequate by some of the prominent municipalities and the question of the formation of the Licensing Board had to be deferred.

Sir, our popular Minister has been pleased to enunciate another policy of the department and that was to raise the standard of honesty in the department by introducing new blood in the personnel of the licensees by selecting educated and deserving men of reputable families for the excise shop. He has gloated over the tremendous number of applications for excise shops from persons of good families, both Hindus and Muhammadans, all over the province. In settling shops under the fixed fee system, he announced that the declared policy of the Government had been to allow shops to educated youths of Bengal of all communities to earn their living—Sir, I am sorry for the Hon'ble Minister in his inability to explore better avenues of employment for the youths of Bengal. I shudder to think that the jewels of the University should fritter away their energies for helping a trade which tended to the ruination of the country. Sir, what is the inevitable effect of the trade on intoxicants? Does it not tend to ruin the ignorant masses, ruin them not only financially but ruin them physically, intellectually, morally and spiritually? One word about the declared policy to allow shops to educated youths. I may just point out that the policy is not followed in regard to the vending of excise shops in the mufassal. In my municipality the vendor of the Bansberia country

liquor shop, Guru Charan Koeri, is quite ignorant of the three R's. I am pointing this out not with the purpose of doing any harm to that particular tiny little man who is very obedient and obliging to one and all from the Collector downwards before whom he always stands like a *Garur-pakshi* with folded hands.

Sir, I should like to emphasise the fact that I consider this trade in intoxicants as an immoral traffic. Its demoralising effects are visible all around. With a view to avert the yellow peril, the opium habit was inculcated in the Chinese by our rulers and the whole nation remained stupefied under its influence for centuries together. It required the genius of patriots like Dr. Sun Yet Sun to rouse them from their slumber of centuries by giving up this pernicious habit and enable them to take their proper place in the Comity of Nations.

Sir, it is inconsistent with the dignity and position of the Minister of Public Health to have the portfolio of the ruination of the Public Health as well. If he wants to retain the latter, I should advise him to make over charge of the Public Health portfolio to one of his colleagues. The two portfolios cannot stand side by side. Sir, it is a strange irony of fate that however independent and well-intentioned a Minister might be before his acceptance of office he imbibes the spirit of his surroundings who always cast their longing eyes on the Revenue side as soon as he comes in contact with them. I cannot call it a vicious circle as they are all honourable men.

Sir, I condemn with all the emphasis that I can command the public health ruination policy of the Government. I would ask the members of this House, be he a Hindu or a Mussalman, to rise equal to the occasion and condemn with one united voice the excise policy which is wroughting havoc not only among the well-to-do families but also desolating the hearth and home of the poor people of this unhappy land.

Babu SATYENDRA NATH ROY: I am very glad to support the resolution moved by Mr. Guha and also by Munindra Deb Rai Mahasai. As a member of the Licensing Board of the 24-Parganas for the last four years, I will cite an instance from my own experience to show how things are done there. At one of the meetings of the 24-Parganas Licensing Board, I moved a resolution that *ganja* shops with a revenue of only Rs. 5 or less should be abolished. I was supported by one of the Subdivisional Officers, but the President who was Additional District Magistrate opposed it saying that it was not the function of the Licensing Board to do, but the function of the Board was to see if there was any objection by the people of the locality for a particular excise shop within any area. I thought that the decision of the Additional District Magistrate was wrong. So I put a question to the Hon'ble Minister regarding the function of the Licensing Boards in Calcutta, Howrah and the 24-Parganas. I was told in reply that the

function of the Board was to determine the number and location of excise shops within the Board area. I was further told in reply to my question that the object of establishing the Licensing Board has been attained as was evidenced by the Excise Report of 1926-27, 1928-29 and 1929-30. The answer was not satisfactory. So I put a supplementary question asking whether the object of establishing the Licensing Board was not to diminish the consumption of intoxicants. I am sorry to say that I received the curt answer (No). Sir, I have got some experience as to how things are managed in the Licensing Board. What happens in Calcutta also happens in the mufassal. A site is selected for a *ganja* shop or a *tari* shop and then it is found that there are eight or ten applicants. There are eight or ten applicants for a *ganja* shop and 15 to 20 for a *tari* shop. Before licences are granted, inquiries are sometimes made by the Executive Officers; sometimes there are recommendations by the Excise Superintendents and then the licence is granted. That is how the policy of prohibition is carried out in Bengal. I may also cite an instance in Calcutta. Many members know a road called the Burdwan Road. Last year a foreign liquor shop was opened there. Probably this year in order to keep the balance a country liquor shop will also be opened there. This year in my own municipality there was a talk of opening a foreign liquor shop. I was told by the Excise Superintendent that there was an application for it. I was surprised to hear that; as there was not one single European resident in the locality. I made a thorough inquiry into the matter and came to know that the applicant was a grog shop owner of Kidderpore. He wanted to start a foreign liquor shop. Fortunately no licence has been granted yet probably because of my protest. Further this will show how the Excise Department is managing things in the matter of prohibition.

The Hon'ble Mr. BIJOY PRASAD SINGH ROY: Sir, I have listened with respect to what has fallen from the various speakers criticising the excise policy of Government—the principle on which licences are granted and the details about their distribution by the Excise Department. I shall take the motions in the order in which they were moved. Mr. Guha has said that the Government has failed to carry out the policy of discouraging the drink-evil. I join issue with him. Yesterday I quoted figures at length to prove and I hope to prove conclusively that the quantity of consumption of liquor and drugs had come down considerably. I do not propose to trouble the House again to-day by repeating those figures. I do not think that Mr. Guha has any justification whatever to say that the Government has failed to carry out the policy of discouraging drink-evil in the face of the figures I quoted yesterday. Another objection which was taken was that the present Licensing Board of Calcutta is a nominated Board and popular voice is not represented on that body. By way of answer I shall point out to

Mr. Guha himself. I hope he will not say that he does not represent popular voice in this House or in the Calcutta Corporation.

4 p.m.

Every member of the public voices public opinion and there can be no exception in case of a member of this House. In the present Licensing Board there are three officials and three non-officials. The three officials are the Commissioner of the Presidency Division, the Commissioner of Police, Calcutta, and the Collector of Calcutta. Sir, they are very responsible persons and I do not know what to say if it is argued that these gentlemen do not discharge their duties properly and conscientiously. The three non-official representatives are Mr. Unsud Dowlah, my friend Mr. Thompson, who is not present here to-day, and Rai Bahadur Abinash Chandra Banerji. Nobody will deny that these three gentlemen are held in high esteem by the public of Calcutta and in whatever institution they may be placed they will be considered great assets.

About the suppression of the elected board, Rai Bahadur Haridhan Dutt has made a grievance. I find that the Rai Bahadur has a very short memory. My friend will remember that he and his colleagues resigned their seats on the Board, and Government had no other alternative but to dissolve it, and to carry on the work Government had to appoint a nominated Board with the best available men in their opinion.

Rai Bahadur Dr. HARIDHAN DUTT: On a point of personal explanation, Sir. We resigned as a protest on principle, and so it was not essential that Government should do away with the Board.

The Hon'ble Mr. BIJOY PRASAD SINGH ROY: Well, he says that he and his colleagues resigned by way of protest. I have got no quarrel with him; he certainly is entitled to hold to his opinion, but the Government found it very difficult to constitute a Board on which all these conflicting interests would be properly represented through election, and Government adopted the policy of nomination. But I can give you this much assurance that I shall take the earliest possible opportunity to go into the matter very thoroughly and out of deference to the wishes of the people of Calcutta I shall try to reconstitute the Board at an early date.

Now coming to the Collector of Calcutta, my friend Mr. Guha has said a lot against him. I am sorry that Mr. Guha went into personal questions. The Collector of Calcutta is a responsible officer; he attained that position after having acquired considerable experience; he is an officer of approved ability, approved merit, and of approved honesty.

So, I am not prepared to accept any allegation of dishonesty or dereliction of duty against an officer of his position and character. Mr. Guha has said that there are jobberies and he quoted certain instances where objections from men like Mr. J. M. Sen Gupta, the then Mayor of Calcutta, were overlooked. I admit that every department has got its defects and they will be there so long as human nature continues to be what it is.

Mr. Guha has said that there are various new shops from Bowbazar to Sealdah. Sir, I do not think that that is borne out by facts. Here I hold in my hand a list of new shops in Calcutta. There were only six new shops—one at 41, Theatre Road, one at Sealdah station, one at 233, Lower Circular Road, one at Elliot Road, one at Russell Street and one at Russa Road. So, none of them are within the area mentioned by Mr. Guha.

Mr. P. N. GUHA: On a point of personal explanation, Sir. I never said that new shops had been opened. What I said was that in order to remedy the defect of the dry area, the Bowbazar area is dotted with shops, whether new or old.

The Hon'ble Mr. BIJOY PRASAD SINGH ROY: Sir, as a rule when a shop is vacant there are applications to the Collector and the Collector scrutinizes the list of applicants. He verifies whether they are men of good character and their qualification, and then objections are invited from persons of the locality concerned. As a matter of fact, notices are put up at conspicuous places in the locality and then applications are submitted to the Licensing Board and then and then only the sites are finally selected.

As regards the allegation of Mr. Guha that shops are nowadays settled mostly with women and minors————

Mr. P. N. GUHA: I gave only one instance.

The Hon'ble Mr. BIJOY PRASAD SINGH ROY: As it relates to only one instance, I do not think I need dwell upon that. Generally the policy of the department is not to settle shops with women or minors, but there should be such a thing as continuity and security of tenure. When a man dies in harness after spending some money in improving his business, it is only fair that the poor man's heir should not be deprived of the business, and the widow or the minor left without any means of livelihood.

As regards the proposal that more power should be given to the Licensing Board to go into the question of licensing besides the selection of sites, I certainly shall give very careful consideration to the suggestion, and I am grateful to the member for this constructive proposal.

Now I come to the motion of my friend Mr. Maiti. He has said that *pachwai* shops are settled in Midnapore with the Sonthal women. It has been the practice to settle *pachwai* shops with them, but in view of the objection taken to it by the representative of the district of Midnapore, I shall certainly go into the question very thoroughly and I promise to ask my department to discourage in future settling of shops with women, irrespective of the consequences on the revenue of the department.

Munindra Deb Rai Mahasai has given us a good deal of domestic details about his municipality. I do not think either the poor Minister or the hon'ble members of this House can take any particular interest in those affairs. There is the Advisory Board and my friend as the Chairman of the municipality is certainly a member of that Board. He can state his grievances before that Board. If he does not do that, it is his fault and not of others.

I have been advised in the interest of public health to make over the charge of the Excise Department to one of my colleagues because I am in charge of the Public Health Department, but unfortunately this department cannot be ignored at the present moment on account of the present financial position of Government. I think this department by controlling licensing and other things adds to the benefit of public health and not to its ruination as has been suggested by some of the hon'ble members.

Mr. Satyendra Nath Roy has given us some interesting details from his experience within his municipality. As I said, there may be allegations against every department and every department has got its defects. However, I am not going to refer to them now.

With these words I oppose the motions.

The motion of Mr. P. N. Guha was then, by leave of the Council, withdrawn.

The motions of Mr. R. Maiti and Munindra Deb Rai Mahasai were then put and lost.

4-15 p.m.

The following motion was called but not moved:—

Kazi EMDADUL HOQUE: "That the demand of Rs. 8,09,000 under the head '6D.—District Executive Establishment—Excise' be reduced by Re. 1 (to raise a discussion on the district establishment)."

Mr. MUKUNDA BEHARY MULLICK: I beg to move that the demand of Rs. 8,09,000 under the head "6D.—District Executive Establishment" be reduced by Re. 1 (want of provision for candidates of the backward classes for appointment as officers or as clerks).

Sir, in bringing forward this motion of mine, my desire is to draw the attention of Government to the want of any provision for candidates of the backward classes for appointment as officers or as clerks in the Excise Department. It is unnecessary for me, I hope, to dilate upon the idea indicated in this, as it is fairly obvious. There is this department of the Government working with a large number of officers as Superintendents, inspectors, sub-inspectors and also as clerks. I do not say anything either for or against the desirability of having a department like the Excise; that raises an issue of an ethical nature. I am only referring to the practical side of the matter as based upon facts.

Sir, the demand underlying this simple motion of mine, I venture to think, is very modest. I shall not say anything with regard to the higher appointments in the department which are made on promotion; for I desire to confine my demand within limited bounds. I refer only to those appointments for which there are very qualified candidates of these backward classes—I mean the Superintendents, inspectors, sub-inspectors and the office clerks. You will find, Sir, that there has been only one appointment made as an inspector from the candidates of the backward classes and that was in 1918-19; this was done as an extra measure by the Hon'ble Sir Henry Wheeler, the then Member-in-charge, before the new Reforms were inaugurated. Since then appointments have been made to this department from time to time and although there had been very qualified candidates from these classes, their claims had been absolutely overlooked. You know, Sir, that for each class of appointments, Government have laid down definite qualifications. And I must not be understood to ask for any special favour for candidates who do not satisfy the required test. I am only pressing the claims of those candidates who satisfy the required test. Regarding the sub-inspectors, there have been only a very few of these candidates out of a few hundred of those who are in service. As regards the clerks, the position is equally deplorable. As I have indicated, the demand is fair and just and I hope it should be treated as such. In these days when there is a cry for Indianization of all the services, those criers must remember that besides them there are other people living in this country and for any department of the administration their proper claims also should not be overlooked.

I draw the special attention of the Hon'ble Minister in charge of this Department to deal with this matter justly and not merely sympathetically. With these few words, I commend my motion to the acceptance of the House.

The Hon'ble Mr. BIJOY PRASAD SINGH ROY: At the outset I may say that I give my fullest assurance to the hon'ble member that

his proposals will receive the very sympathetic consideration of Government. As a matter of fact the question of the appointment of clerks from the backward classes is always before Government and the matter is being examined in detail.

As regards the appointment of officers in the Excise Department, there is a rule under which Government has got to appoint officers from the backward classes and in 1927-28 there were four such appointments and only one of them, a direct appointment, was given to a member of the backward class. In 1929-30 there was only one appointment and that was made from the backward classes; so, Government is not at all unmindful of the claims of the backward classes. I repeat my assurance to my hon'ble friend that Government will do their utmost to give their best consideration to the claims of the backward classes. With this assurance, I hope he will withdraw his motion.

Mr. MUKUNDA BEHARY MULLICK: In view of the assurance given by the Hon'ble Minister, I beg leave to withdraw my motion.

The motion of Mr. Mukunda Behary Mullick was then, by leave of the Council, withdrawn.

Dr. NARESH CHANDRA SEN GUPTA: I beg to move that the demand of Rs. 2,33,000 under the head "6.—Distilleries" be refused.

Sir, I move this motion to put a stop to the immorality and indecency of the Government pandering to the folly of people addicted to drink, by actually manufacturing and selling to them intoxicating liqours for profit. Out of this business Government cleared a profit of a little less than Rs. 90 lakhs in the days before the civil disobedience movement and now after a set back owing to the "subversive political movement" the Government is calculating on making a modest profit of Rs. 77 lakhs. In passing I may note, Sir, that it is anything but edifying to see that the Members of Government who are carrying on this nefarious trade—members who are jointly responsible for the entire policy of Government on the transferred side—include two shining lights among the followers of the Prophet of Arabia, who doubtless accept without question the authority of the divine words of the *Koran*. I have yet to learn that they have ever raised a word of protest against the continuance of the sinful trade or refused to share in the emoluments of it.

Sir, I believe in the State as a manufacturer of, and a trader in, necessities of the people and I long to see the day when the organised community will take in hand the work of supplying the wants of the community and free people from the exploitation of profiteers. But the idea that the State should trade on the sins and foibles of the people is disgusting to me and when I realise what this trade means, how many desolate homes, destitute families and wrecked careers the comfortable

figure on the budget stands for, I am filled with indignation and sorrow. And the people ruined by the noxious article manufactured by Government at the distilleries are the poorest and least able to afford the luxury of wasting a penny on anything beyond their barest wants.

If our Government cannot give them enough to eat, if they cannot give them enough to clothe themselves with, if they cannot give them the education which will make their lives beautiful and sublime, it should at least desist from robbing them of their scanty profits by giving them that which would make them less of human beings. Sir, I am not unmindful of the history of the policy of Government with regard to distilleries. I am not forgetting that the distillery system was a great improvement on the system that prevailed before in more ways than one. And I shall even concede that the excise policy of Government has in recent years shown a tendency towards a restriction on the supply of drink. But these good points leave me cold, for I am at war with the whole basis of the system—I attack its most fundamental assumption. That assumption is that as men must drink, Government must make the utmost profit out of the drink habit and incidentally restrain the unrestricted supply of liquor. That is a vicious assumption. Let the Government put down private distillation by all means—let it multiply its preventive agencies to such extent as may be necessary, but for God's sake, let them not soil their hands by profiting by the manufacture and sale of liquor in any shape. Just at present, I am not thinking of prohibition though I consider prohibition not only as an eminently good but also as an essentially practical programme, in spite of the Hon'ble Minister's attempts to cry it down by reference to America and Bombay. The Hon'ble Minister read an extract from the report of the Government of Bombay. I should ask him also to read what has been said about the Government of Bombay's resolution by leading public men there. I would ask him to read the *Servant of India*. But I am not pleading for absolute prohibition at present and I do not ask by this motion to prohibit altogether. I want him only to stop the manufacture of liquor for the consumption of people. I am only asking him to abstain from supplying drink.

Is there any reason why the Government must needs manufacture wine to make people drunk? Let us see what the reason may be. Is it a question of revenue? Well, we have had this red herring drawn too often across our path. Only last year we were told that the loss in excise revenue would bring back ruin on Government. Yet the Government had to grin and bear a loss of about Rs. 47 lakhs on excise and a net loss of over a crore of rupees in the gross revenues. The Hooghly is not yet on fire, and Mr. Marr has not even had to resort to desperate devices like cutting down his own salary to carry on the Government. If, as I hope and trust they will, the lessons learnt and habits formed by the people during the past few months endure, the

excise revenue will dwindle and disappear, and still the Government will have to manage to carry on, as the Government of India has had to carry on without its revenue from opium.

And then, if it comes to this that the Government cannot live without the income from trade, why not choose a more respectable business? Why not try your hands on jute trade and jute mills for instance, or, if that frightens my European friends, why not make boots and shoes or trade in grocery? Talking of grocery, if Government spent half the thought and energy in assuring a supply of good and wholesome food that it spends on the supply of good alcohol, it would be doing a lasting good to the country.

I am told that to stop Government distillation would mean the spread of illicit distillation. I am afraid that those who think so are talking without their book. In Bengal we have to deal with a population which is temperate by habit and tradition. With such people the task of prevention of illicit distillation will not be a thousandth part as difficult as it has been in America and not even half as difficult as it has been in Bombay. It is only the inveterate drinker who will take to shady ways for having his drink if he cannot have it fairly. There are a few such people in Bengal. But they belong to classes whom these distilleries do not serve. They are rich men who drink foreign liquor, or poor men who drink *pachwai* or *tari*. If the House carries my motion, the Sonthals will have their *pachwai* and the upcountry millhands will have their *tari* and the rich rake will retain his peg without illicit distillation.

How many people in Bengal ever drink country wine? Let us judge from a few figures. The consumption of country spirit in places outside Calcutta, Darjeeling and the hill districts is extraordinarily low. It is ·05 gallon per year per 100 of the population in Noakhali; it is well under one gallon in most other districts and only 2·41 gallons in Burdwan which shows the highest figure. In Calcutta the consumption is 10·48 gallons and in Darjeeling it is 11·01 gallons. I am quoting from the Administration Report for Bengal for 1929-30. Even with these figures the flat rate for all Bengal is only 1·24 gallons per hundred people every year according to the figures for 1929-30. Taking the average daily consumption of a habitual drinker at the modest figure of 1 pint per day, it would come to this that there is one drinker in about every 5,000 of the population, and if you exclude the population in Calcutta and Darjeeling, the figure will be nearer one drinker to every eight or ten thousand people.

These are the realities of the situation. The Government maintains the distillery and places wine within the reach of every man because one man in every five thousand or more would want to drink. It would seem far easier to prevent the one man from drinking or distilling illicit liquor than to put temptation before five thousand people.

Supposing it is not so easy. It would mean only a risk of about one man in five thousand taking recourse to illicit supply!—a proposition which is very different from the huge problem that America had to face, with a very large percentage of its population given to the habit of drinking and only too willing to patronise the bootlegger.

Another argument I have heard and that is that if the supply of licit alcohol is restricted people will be poisoned by drinking bad stuff! I am not very much frightened at the prospect of the very limited number of country-liquor drinkers being poisoned in this way. The whole population of Bengal is being poisoned from day to day by deleterious and adulterated food. If the supply of wholesome stuff is a matter of such concern to the Government, it would be far more worth their while to start State grocery shops and suppress illicit trade in food-stuffs than to seek to save this handful of people from drinking bad wine. But the question does not arise. For, I am sure that in the mufassal, in nine cases out of ten if the wine shops are stopped, drinking will disappear. It may be different in place like Calcutta, which, on the other hand, would be eminently amenable to the control of preventive officers.

Sir, I hope I have satisfied the House that there is not a shade of a shadow of justification of this immoral trade by the Government and I hope and trust that the House will give expression to its disapproval of the business in a most unmistakable fashion. I have no doubt that I have the heart of all Bengal on my side, for drink is detested by the Bengali in a measure unknown elsewhere. Every one knows how the monster of drink not only consumes the man whom it gets within its clutches but spreads its tentacles far and wide bringing ruin and misery on numberless women and children. And if it degrades and destroys the rich and the poor alike, its worst victims are the poor who have to be saved from it at any cost. And the Council will be rendering a signal service to the poor by stopping at any rate this particular branch of the drink trade. And I look to the whole House to support me and look with special confidence to my Mussalman friends to rise equal to the occasion and vote unanimously against this trade, not merely because drink is most obnoxious to their religion, but also because the particular trade with which we are concerned tends to impoverish and demoralise the poor workers whose interests are in a special measure in their charge.

The Hon'ble Mr. BIJOY PRASAD SINGH ROY: The motion that stands in the name of Dr. Naresh Chandra Sen Gupta is this: that the demand of Rs. 2,33,000 under the head "Distilleries" be refused. If this motion is carried, the result would be that Government would have to disband the Distillery staff at once. Dr. Sen Gupta accused the Government for trafficking on the sin and immorality of the people. Government may or may not be guilty. But we are all familiar with

Dr. Sen Gupta's heroes and heroines. (Mr. B. C. CHATTERJEE: Heroes and heroines?) Yes, heroes and heroines of Dr. Sen Gupta's novels. My friend opposite, a practical lawyer and not a man of soaring imagination like Dr. Sen Gupta, may not be quite familiar with these novels, but unfortunately many people are. I venture to say that persons who actually traffic in sinful trade ought to take lessons from their own observations.

Dr. NARESH CHANDRA SEN GUPTA: That is an ancient argument.

The Hon'ble Mr. BIJOY PRASAD SINGH ROY: My friend, Dr. Sen Gupta, has said that Government manufactures liquor and drugs in these distilleries. That is not a fact. Government manufacture nothing. Liquor is manufactured by private persons and Government have got to employ a very large staff to keep watch over the warehouses. This demand includes the staff consisting of four inspectors, 44 sub-inspectors, two distillery clerks and 100 petty officers and peons. The demand under this head represents the pay of these officers, their travelling, over-time and house allowances, the pay of over-time officers in Russa, Konnagar and Asansol distilleries, their house allowances and that of excise officers for watching cases of smuggling of opium and other excisable articles in Calcutta and Darjeeling, and fees to pleaders, clothing charges, cost of repairs to boats, and contract contingent charges in all districts including petty construction, and repairs, etc. It is very necessary that Government should keep sufficient watch over these distilleries so that there may not be sale by these people and Government may not be deprived of their share of revenue.

Dr. Sen Gupta does not want prohibition.

Dr. NARESH CHANDRA SEN GUPTA: I rise to a point of explanation. I made it clear that I want prohibition, but I was not talking about prohibition in this motion.

The Hon'ble Mr. BIJOY PRASAD SINGH ROY: However, he does not want prohibition at least for the present. In any case if the Government have got to keep the Excise Department and to depend upon excise revenue, certainly they cannot do away with the distillery staff. As my friend himself has pointed out, there would be illicit manufacture of liquors and the result would be that Government would be deprived of their share of revenue without any corresponding improvement in the habits of the people. If illicit manufacture of liquors is allowed, it is bound to give rise to its concomitant evils. I do not think it is a practical proposition that the whole distillery staff should be disbanded

in a day. Government are doing their utmost to reduce the consumption of liquor and drugs, to reduce the number of places of sale, to reduce the number of hours of sale. They cannot do anything more at the present moment. If the Government have got to depend on excise revenue, it is not a practical proposition to do away with this staff, and it is only possible for a man of very strong imagination like my friend, Dr. Sen Gupta, to make a suggestion of this kind. I oppose this amendment, Sir.

The motion of Dr. Naresh Chandra Sen Gupta was then put and a division taken with the following result:—

AYES.

Ali, Maulvi Hassan.
Banerji, Mr. P.
Basu, Mr. Narendra Kumar.
Chaudhuri, Maulvi Syed Osman Haider.
Choudhury, Maulvi Nural Absar.
Chowdhury, Maulvi Abdul Ghani.
Eusufji, Maulvi Nur Rahman Khan.
Hakim, Maulvi Abdul.
Hashemy, Maulvi Syed Jalaluddin.
Hoque, Kazi Emdadul.
Lal Muhammed, Haji.
Mookerjee, Mr. Syamaprasad.
Ray, Mr. Shanti Shekhareswar.
Roy, Babu Satyendra Nath.
Samad, Maulvi Abdus.
Sen Gupta, Dr. Naresh Chandra.
Shah, Maulvi Abdul Hamid.

NOES.

Baksh, Maulvi Shaik Rahim.
Bal, Babu Lalit Kumar.
Bal, Mr. Sarat Chandra.
Banerji, Rai Bahadur Keshab Chandra.
Barma, Rai Sahib Panchanan.
Basu, Babu Jatindra Nath.
Blandy, Mr. E. N.
Bose, Mr. S. M.
Chaudhuri, Khan Bahadur Maulvi Hafizur Rahman.
Clark, Mr. I. A.
Cohen, Mr. D. J.
Coppinger, Major-General W. V.
Cooper, Mr. C. G.
Dain, Mr. G. R.
Das, Babu Satyendra Kumar.
Dash, Mr. A. J.
Easeen, Mr. G. A.
Faroqui, the Hon'ble Khan Bahadur K. G. M.
Fawcus, Mr. L. R.
Forrester, Mr. J. Campbell.
Gangali, Rai Bahadur Sueli Kumar.
Ghose, Dr. Amulya Ratan.
Ghuznavi, the Hon'ble Alhadj Sir Abdelkerim.
Gilchrist, Mr. R. N.
Gobinka, Rai Bahadur Badridas.
Guha, Babu Profulla Kumar.
Garner, Mr. G. W.
Hussain, Nawab Musharruf, Khan Bahadur.
Hussain, Maulvi Latafat.
Ispaem, Maulvi Abul.
Khan, Khan Sahib Maulvi Muazzam Ali.
Khan, Mr. Razaur Rahman.
Luke, Mr. N. R.
Maguire, Mr. L. T.
Marr, the Hon'ble Mr. A.
McCluskie, Mr. E. T.
Miller, Mr. C. C.
Mittra, Babu Sarat Chandra.
Mitter, the Hon'ble Sir Provash Chunder.
Mukherji, Rai Bahadur Satish Chandra.
Mukhopadhaya, Rai Sahib Sarat Chandra.
Mullick, Mr. Mukunda Behary.
Nag, Babu Suk Lal.
Nag, Mr. K. C.
Nag, Reverend B. A.
Nandy, Maharaja Sris Chandra, of Kasimbazar.
Nazimuddin, the Hon'ble Mr. Khwaja.
Ormond, Mr. E. C.
Philpot, Mr. H. C. V.
Prentice, the Hon'ble Mr. W. D. R.
Raheem, Mr. A.
Rahman, Mr. A. F.
Rahman, Mr. A. F. M. Abdur-
Raikat, Mr. Prosanna Deb.
Ray, Babu Nagendra Narayan.
Ray, Maharaja Jagadish Nath, of Dinajpur.
Ray Chaudhuri, Mr. K. C.
Reid, Mr. R. N.
Rout, Babu Nagendra.
Roy, Babu Haribansa.
Roy, Mr. Saileswar Singh.
Ray, Mr. Sarat Kumar.
Roy, the Hon'ble Mr. Bijoy Prasad Singh.

Qudratullah, Maulvi Muhammad.
Sahana, Babu Satya Kinkar.
Sarkar, Sir Jadunath.
Sarkar, Rai Sahib Rohati Mohan.
Singh, Srijut Taj Bahadur.
Sinha, Raja Bahadur Bhupendra Narayan, of Nashipur.
Sulaiman, Maulvi Muhammad.
Stapleton, Mr. H. E.
Strenach, Mr. K. F. G.
Sumner, Mr. C. R.
Thompson, Mr. W. H.
Travers, Mr. W. L.

The Ayes being 17 and the Noes 75, the motion was lost.

[At 4-45 p.m. the Council was adjourned for prayer and it reassembled at 5 p.m.]

Mr. PRESIDENT: We shall have one discussion on motions Nos. 62, 63 and 64.

Maulvi ABDUL HAMID SHAH moved that the demand of Rs. 20,06,000 under the head "6.—Excise" be reduced by Rs. 20,00,000.

(He spoke in Bengali in support of his motion.)

5-15 p.m.

The following motion was called but not moved:—

Babu KISHORI MOHAN CHAUDHURI: "That the demand of Rs. 20,06,000 under the head '6.—Excise' be reduced by Rs. 5,00,000."

Mr. P. BANERJI: I move that the demand of Rs. 20,06,000 under the head "6.—Excise" be reduced by Rs. 2,50,000.

Sir, my suggestion is a simple one. It is only a reduction of 25 per cent. in the salaries of higher officers and ten per cent. in salaries of the establishment. Much has been said by the Hon'ble Minister about financial stringency, but no provision has been made to reduce charges in any direction. Sir, there has been a wholesale economic depression all over the country and every one is suffiering. The pesantry is suffering, all other persons are suffering and the excise revenue has also suffered, but the persons who are paid for increasing revenue of this department have not suffered in any way. I think that they should also share in the general economic depression. My suggestion is, as I have said, a very simple one. In view of the fact that there has been reduction in the prices of food-stuffs and that if a small cut in the establishment is made there will be a saving of Rs. 2,50,000 under one head, and no body would suffer very much thereby. I hope, therefore, the Hon'ble Minister will accept my suggestion as it is a simple one.

Babu SATYENDRA NATH ROY: I am sorry I cannot support my hon'ble friend in his suggestion of reducing the salaries of excise officers. It is not a question of principle or of the administration of the Excise Department and my friend has failed to point out any particular item of expenditure in which a reduction can be made. His idea is only to cut down the pay of superior officers by 25 per cent. and that of the staff by 10 per cent. I think it is very unjust and it would be very hard on particular officers concerned. I, therefore, oppose the motion.

The Hon'ble Mr. BIJOY PRASAD SINGH ROY: Sir, Maulvi Abdul Hamid Shah has advocated a total prohibition. His motion is that out of the total demand of Rs. 20,06,000, Rs. 20,00,000 be reduced. That means Government will have to close down the Excise Department altogether. I do not want to tire the House by repeating the same arguments over and over again. Under the present conditions it is not possible for Government to accept the total prohibition as their policy. Government have done much in the past as they are doing in the present to reduce the consumption of intoxicants, the number of places of sale and the hours of sale, etc. For the satisfaction of my friends, I will just quote one or two figures to show that the quantity has gone down considerably. The consumption of country spirit in 1913-14 was 8,23,000 gallons in 1927-28 it was 5,90,000 gallons and in 1929-30 it was 5,75,000 gallons. That is, a decrease by 30 per cent. In the case of *ganja*, the figures are—in 1913-14, 1,18,000 seers, in 1927-28, it was 66,000 seers and in 1929-30, 62,000 seers. That is, a reduction by about 47 per cent. In the case of opium, the figures are —in 1913-14, 68,000 seers, in 1927-28, 39,700 seers and in 1929-30, the figure is almost the same. That shows a decrease by about 41·8 per cent. These are the figures and I do not think that in face of these figures any one can say that Government have not done anything to reduce the consumption of liquor and drugs. Every one will admit that Government are doing their best under present circumstances.

Sir, Maulvi Abdul Hamid Shah has also said that the revenue can be raised from other sources. Certainly his suggestion is very welcome. But, unfortunately, there is no immediate prospect of his suggestions being accepted by the Government. I would request my friend to wait for another three years and put forward his suggestion before the new national Government.

Sir, Mr. P. Banerji has suggested that there should be a reduction in the pay of officers by 25 per cent. and in the pay of the staff by 10 per cent. May I know why of all persons the poor Excise officers should suffer in this way? Does he suggest it seriously that they of all persons should be deprived of their legitimate share in the earnings? Have lawyers reduced their fees by 10 per cent. or even by 1 per cent? Have the doctors reduced their fees by even 1 per cent?

Has my friend who has something to do with banking, reduced his profit by any per cent.? I put it to him. (A VOICE: Probably he has.) No, I do not think so. If professional men have reduced any percentage in their profit, they have not done so willingly. They have been obliged to accept a lower profit because no one is there to offer them anything higher.

5-30 p.m.

Bankers are making more profits than anybody else. My friend is a businessman of some reputation and it does not lie on his lips to suggest that a poor man who is earning his livelihood should be deprived of a portion of it. He must remember that he has his family; he has got to pay his doctor's and his lawyer's fees and also to meet other expenses like all other men. My friend says the prices have gone down. No doubt they have, but the fall is only temporary and it is not proper to reduce the pay of officers who entirely depend upon it.

Mr. Banerji has said that there is no reduction in the expenditure of the department. He is not accurate; there has been considerable reduction and I quote the figures: The budget estimate for 1930-31 was Rs. 22,19,000; the revised estimate was Rs. 22,15,000. This year the demand is Rs. 20,06,000. That shows clearly that the department is not forgetful of its duty.

The motions of Maulvi Abdul Hamid Shah and Mr. P. Banerji were then put and lost.

Mr. PRESIDENT: I think we better have one discussion on motions Nos. 65 to 96 as they all relate to the excise policy of Government.

Maulvi TAMIZUDDIN KHAN: Sir, I beg to move that the demand of Rs. 20,06,000 under the head "6.—Excise" be reduced by Rs. 1,000 (to criticise the excise policy of Government).

I have tabled this motion in a rather half-hearted mood as there is not much use in flogging a dying horse. The old order is going to change yielding place to new and if we expect anything substantial, we must look up to the coming order of things. I must, however, say one thing, that the Hon'ble Ministers who are the responsible part of the present Government should have set an example to the coming Government. They do not propose, I hope, to give up political life with the coming change in the system of Government, and therefore it would have been in the fitness of things if they would have left a good example for the coming Government; but unfortunately

ıough year after year this question is being pressed upon Govern-
ent, they are reluctant to do anything substantial although they
ways evince a good deal of lip sympathy in this matter. Hitherto
:e Government has deplorably failed to adopt a progressive policy of
'ohibition in spite of the wish of the House as expressed for several
ıars. I am not one of those who wish that Government should
ımediately give effect to a policy of prohibition. That is impossible
r the Government to do particularly under the present circumstances.
ıt I think it is very easy for the Government to adopt a progressive
ılicy of prohibition. They always say that their goal is prohibition.
their goal is prohibition, they should seriously consider the matter
ıd put their heads together and devise a scheme whereby the evil
ay be eradicated within a fixed period of time, but they have not
ıne anything of that sort up till now. We know it is very difficult
cure an opium-eater. If he has to be cured, he must be cured
'adually; otherwise it might prove fatal to him. Government has
ıen enjoying a large income from this department from time
ımemorial and so it can be said to have formed the excise habit.
is not therefore, possible to cure the Government of this inveterate
ıbit all at once. That, however, is no reason why it should be so
ıstinate as to continue this pernicious policy and refuse to be cured
r a gradual process. Therefore, I have tabled this motion as a dis-
ıprobation of the present policy of Government and for not adopting
progressive policy of prohibition.

Rai Bahadur KESHAB CHANDRA BANERJI: My motion is
o. 84. I find that the wording of the motion has been changed.
ı fact, my intention was to criticise the excise policy of Government

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Mr. PRESIDENT: You may draw my attention to the mistake
hen I take up your motion; but, at this stage, I had better tell the
ouse that the time-limit prescribed for the demand now before the
'ouse will soon be reached and it may not be possible to move all the
otions on which I decided to have one discussion. .

The Hon'ble Mr. BIJOY PRASAD SINGH ROY: I do not think
shall take much time of the House in replying to this motion because
have already replied to a similar motion.

Rai Bahadur Dr. HARIDHAN DUTT: Sir, I have two motions
ımbered 77 and 78 and I fully realise what you have already pointed
ıt and therefore will say only a few words about them. I have
ways been wondering whether this Council will accept a scheme for
ıe purpose of carrying out the policy of total abolition of revenue.
: seems, it would be only fair to the Hon'ble Minister and the

Government if the Council will lay down a policy of its own and instead of asking Government to do away with the whole excise revenue all at once, ask the Hon'ble Minister to carry that out within a reasonable period of time. Personally I think that abolition ought to be the principle of this House and that it ought to be carried out within a reasonable length of time, say ten years. I understand that some such scheme has been adopted in some other provinces, but we have no such scheme. It is time we should formulate such a scheme and place it before the House and the Minister. If the Minister does not conform to it, we should combine and ask him to clear out. Instead of doing that, if we simply take our stand here and ask the Minister to do this and that, I do not think that to be the proper way to adopt. The proper way would be to frame a scheme and press it upon the Minister for carrying it out. With this intention I have brought forward these two motions before the House, *viz.*, one about the stopping of the sale of *charas* and the other about the prohibition of opium-smoking. This stopping of the sale of *charas* would mean a reduction in excise revenue to the extent of about Rs. 3½ lakhs. The other thing is the prohibition of opium-smoking which has been practically settled. Government has accepted the policy of prohibiting opium-smoking, but it has not yet taken steps in this direction. We earnestly hope that within the shortest possible time opium-smoking should be prohibited. Before I sit down, I should like to read out a letter which I received from Mr. C. Leo, the Consul-General of the Republic of China in India. He is interested in the Chinese section of the citizens of Calcutta. He writes to say that my proposal to the Government is a worthy one and, if accepted, will assist to exterminate the great evil which the League of Nations is also endeavouring to drive out for the benefit of mankind and he earnestly hopes that the attempts of the local Government in this direction will meet with success. There is a feeling that the condition of things with the Chinese residents in Calcutta is deplorable. I ask the members of this House to take the trouble of inspecting the Chinese section of the town and see things for themselves; they will be shocked to see a large number of Chinamen in a condition in which no one would like another human being to be. As members of the last Opium Enquiry Committee we had the opportunity of seeing what was going on there. It was very much shocking to see that such misery and degeneration should be allowed to exist in the heart of the city. I had a talk with the Chinese Consul-General who regretted that his countrymen were in such a condition. He requested me to do what was possible and assured me that whatever was possible for him as a representative of China to do in helping Government in this respect, he would most gladly do. I hope to get an assurance from the Minister that he will bring about the prohibition of opium-smoking

5-45 p.m.

Here the time-limit under the head "6.—Excise" having been reached, the motion that the demand of Rs. 20,06,000 under the head "6.—Excise" be reduced by Rs. 1,000 (to criticise the excise policy of Government) was put and a division taken with the following result:—

AYES.

Ali, Maulvi Hassan.
Banerji, Mr. P.
Basu, Mr. Narendra Kumar.
Chaudhuri, Khan Bahadur Maulvi Alimuzzaman.
Chaudhuri, Maulvi Syed Osman Haider.
Chaudhury, Maulvi Nural Absar.
Chowdhury, Maulvi Abdul Ghani.
Hakim, Maulvi Abdul.
Hashemy, Maulvi Syed Jalaluddin.
Hoque, Kazi Emdadul.
Hossain, Maulvi Muhammad.
Karim, Maulvi Abdul.
Khan, Maulvi Tamizuddin.
Nag, Reverend B. A.
Rahman, Maulvi Azizur.
Rai Mahasai, Munindra Deb.
Ray, Mr. Shanti Shekhareswar.
Raut, Babu Noconi.
Roy, Babu Satyendra Nath.
Sen Gupta, Dr. Naresh Chandra.
Shah, Maulvi Abdul Hamid.

NOES.

Bal, Babu Lalit Kumar.
Bal, Mr. Sarat Chandra.
Banerji, Rai Bahadur Keshab Chandra.
Barma, Rai Sahib Panchanan.
Blandy, Mr. E. N.
Bose, Mr. S. M.
Burn, Mr. H. H.
Chaudhuri, Khan Bahadur Maulvi Hafizur Rahman.
Clark, Mr. I. A.
Cohen, Mr. D. J.
Coppinger, Major-General W. V.
Cooper, Mr. C. B.
Dain, Mr. G. R.
Das, Babu Satyendra Kumar.
Dash, Mr. A. J.
Hassan, Mr. S. A.
Farequi, the Hon'ble Khan Bahadur K. G. M.
Faweus, Mr. L. M.
Forrester, Mr. J. Campbell.
Gangali, Rai Bahadur Sunil Kumar.
Ghuznavi, the Hon'ble Alhadj Sir Abdelkerim.
Gilchrist, Mr. R. N.
Goenka, Rai Bahadur Badridas.
Gordon, Mr. A. D.
Guha, Babu Profulla Kumar.
Guha, Mr. P. N.
Gurner, Mr. G. W.
Hossain, Nawab Musharruf, Khan Bahadur.
Hussain, Maulvi Latafat.
Hutchings, Mr. R. H.
Kasem, Maulvi Abul.
Khan, Khan Sahib Maulvi Muazzam Ali.
Khan, Mr. Razzur Rahman.
Luke, Mr. H. R.
Maguire, Mr. L. T.
Marr, the Hon'ble Mr. A.
McCluskie, Mr. E. T.
Mitter, the Hon'ble Sir Provash Chunder.
Mukherji, Rai Bahadur Satish Chandra.
Mukhopadhaya, Rai Sahib Sarat Chandra.
Mullick, Mr. Mukunda Behary.
Nag, Babu Suk Lal.
Nag, Mr. K. C.
Nandy, Maharaja Sris Chandra, of Kasimbazar.
Nazimuddin, the Hon'ble Mr. Khwaja.
Philpot, Mr. H. C. V.
Prentice, the Hon'ble Mr. W. D. R.
Raheem, Mr. A.
Rahman, Mr. A. F. M. Abdur-
Ray, Maharaja Jagadish Nath, of Dinajpur.
Ray Chaudhuri, Mr. K. C.
Reid, Mr. R. N.
Roy, Babu Haribansa.
Roy, Babu Jitendra Nath.
Roy, Mr. Saileswar Singh.
Roy, Mr. Sarat Kumar.
Roy, the Hon'ble Mr. Bijoy Prasad Singh.
Sahana, Babu Satya Kinkar.
Sarkar, Sir Jadunath.
Sarker, Rai Sahib Rohati Mohan.
Sen, Rai Sahib Akshoy Kumar.
Singh, Srijut Taj Bahadur.
Sulaiman, Maulvi Muhammad.
Stapleton, Mr. H. E.
Strensch, Mr. K. F. G.
Thompson, Mr. W. H.
Travers, Mr. W. L.

The Ayes being 21 and the Noes 67, the motion was lost.

The motion that a sum of Rs. 20,06,000 be granted for expenditure under the head "6.—Excise" was then put and agreed to.

The time limit having been reached the following motions under the head "6.—Excise" were not called:—

Haji BADI AHMED CHOUDHURY: "That the demand of Rs. 20,06,000 under the head '6.—Excise' be reduced by Rs. 1,000 (to raise a discussion on the desirability of reducing Excise Establishment)."

Mr. P. BANERJI: "That the demand of Rs. 20,06,000 under the head '6.—Excise' be reduced by Rs. 101 (necessity for immediate adoption of total prohibition)."

Babu SATISH CHANDRA RAY CHOWDHURY: "That the demand of Rs. 20,06,000 under the head '6E.—Excise' be reduced by Rs. 100 (to raise a discussion on the failure of the Government to carry out the policy of complete prohibition by a gradual process)."

Babu KHETTER MOHAN RAY: "That the demand of Rs. 20,06,000 under the head '6.—Excise' be reduced by Rs. 100 (to draw attention to the absence of any policy for gradual reduction of revenue from Excise until its total abolition)."

Maulvi ABDUL HAMID SHAH: "That the demand of Rs. 20,06,000 under the head '6.—Excise' be reduced by Rs. 100 (excise policy)."

Maulvi SYED JALALUDDIN HASHEMY: "That the demand of Rs. 20,06,000 under the head '6.—Excise' be reduced by Rs. 100 (policy of prohibition to be given immediate effect to in labour areas and in the district of Khulna)."

Maulvi SYED JALALUDDIN HASHEMY: "That the demand of Rs. 20,06,000 under the head '6.—Excise' be reduced by Rs. 100 (to condemn the method adopted by the Department to encourage the drink evil during picketing movement before excise shops)."

Maulvi HASSAN ALI: "That the demand of Rs. 20,06,000 under the head '6.—Excise' be reduced by Rs. 100 (prohibition of excise evil)."

MUNINDRA DEB RAI MAHASAI: "That the demand of Rs. 20,06,000 under the head '6.—Excise' be reduced by Rs. 100 (constitution of the Licensing Boards and duties on alcohol used for indigenous toilet preparations)."

Rai Bahadur Dr. HARIDHAN DUTT: "That the demand of Rs. 20,06,000 under the head '6.—Excise' be reduced by Rs. 50 (desirability of stopping the sale of *charas*)."

Rai Bahadur Dr. HARIDHAN DUTT: "That the demand of Rs. 20,06,000 under the head '6.—Excise' be reduced by Rs. 10 (question of prohibition of opium-smoking)."

Maulvi ABDUL KARIM: "That the demand of Rs. 20,06,000 under the head '6.—Excise' be reduced by Rs. 5 (gradual reduction in the number of excise shops with a view to introduce prohibition in the course of time)."

MUNINDRA DEB RAI MAHASAI: "That the demand of Rs. 20,06,000 under the head '6.—Excise' be reduced by Rs. 2 (drink evil and intemperance)."

MUNINDRA DEB RAI MAHASAI: "That the demand of Rs. 20,06,000 under the head '6.—Excise' be reduced by Rs. 2 (danger of increasing income from Excise and Excise policy)."

Rev. B. A. NAG, Rai Bahadur KESHAB CHANDRA BANERJI, Kazi EMDADUL HOQUE, Maulvi ABDUL HAKIM and Maulvi SYED JALALUDDIN HASHEMY: "That the demand of Rs. 20,06,000 under the head '6.—Excise' be reduced by Re. 1 (failure to carry out the Excise policy of Government)."

Dr. NARESH CHANDRA SEN GUPTA: "That the demand of Rs. 20,06,000 under the head '6.—Excise' be reduced by Re. 1 (policy and necessity of the adoption of prohibition)."

Maulvi SYED MAJID BAKSH: "That the demand of Rs. 20,06,000 under the head '6.—Excise' be reduced by Re. 1 (progressive enforcement of prohibition)."

Khan Sahib Maulvi BAZLUL HUQ: "That the demand of Rs. 20,06,000 under the head '6.—Excise' be reduced by Re. 1 (to impress upon the duty of the Department to appoint duly qualified Mussalmans in proportion to their numerical strength in the Presidency)."

Khan Sahib Maulvi BAZLUL HUQ: "That the demand of Rs. 20,06,000 under the head '6.—Excise' be reduced by Re. 1 (to raise a discussion about the desirability of remitting excise duty on all drugs and exciable articles if required for medicinal purpose)."

Khan Sahib Maulvi BAZLUL HUQ: "That the demand of Rs. 20,06,000 under the head '6.—Excise' be reduced by Re. 1 (to draw attention to the working of the present Commissioner of Excise)."

Babu SATYENDRA NATH ROY: "That the demand of Rs. 20,06,000 under the head '6.—Excise' be reduced by Re. 1 (want of policy for reduction of consumption of liquors and other intoxicants)."

Mr. SARAT CHANDRA BAL: "That the demand of Rs. 20,06,000 under the head '6.—Excise' be reduced by Re. 1 (Excise policy with reference to Backward classes)."

Maulvi NUR RAHMAN KHAN EUSUFJI: "That the demand of Rs. 20,06,000 under the head '6.—Excise' be reduced by Re. 1 (to urge the necessity of reducing the number of excise shops in rural areas)."

Khan Bahadur Maulvi AZIZUL HAQUE: "That the demand of Rs. 20,06,000 under the head '6.—Excise' be reduced by Re. 1 (to urge the acceptance of a policy of prohibition to be given effect to in course of a fixed number of years and as the first step towards the measure the immediate reduction in the number of excise shops in labour areas and in areas generally affected by distress)."

Rai Bahadur Dr. HARIDHAN DUTT: "That the demand of Rs. 20,06,000 under the head '6.—Excise' be reduced by Re. 1 (Regulations regarding export to other provinces)."

7.—Stamps.

The Hon'ble Mr. A. MARR: On the recommendation of His Excellency the Governor, I beg to move that a sum of Rs. 6,02,000 be granted for expenditure under the head "7.—Stamps".

The details of this demand will be found on pages 56 and 59 of the Budget Estimate and on page 31 of the Financial Statement. From these details it will be seen that we have put the revised estimate of the voted portion of the demand for the current year at Rs. 5,61,000 as against an original budget estimate of Rs. 7,73,000 and that we propose to provide Rs. 6,02,000 for next year.

The decrease in the revised estimate this year, both under "A—Non-Judicial" and under "B—Judicial," is practically all under two

heads, (1) charges for the sale of stamps (discount) as a result of the decline in the sale of stamps, and (2) value of stamps supplied from Central Stores, which is due to smaller indents for stamps. Charges for the sale of stamps vary with the receipts, and as we hope for an increase in revenue from non-judicial stamps next year, we have made increased provision for payment of discount to vendors. Under the head "Superintendence," members will see that there are increases under three heads only, namely, "Pay of officers," "Allowances" and "Contract contingencies." Of these the increase under "Allowances" is only Rs. 20 and calls for no comment. The increase under "Contract contingencies" is to meet the hoped-for increase in the cost of freight on stamps from the Security Press at Nasik, as an increase under this head means more stamps to sell and thus more revenue. The increase under "Pay of officers" is to provide a special pay of Rs. 100 per month to the Probate Deputy Collector, Calcutta, on account of the extremely onerous nature of his duties, especially in connection with probate cases on some very large States.

As regards the cuts that have been put in by members of this House, I think the general complaint is that the rates of stamp duty are too high. All that I want to say about this is that if Government had the money, they would gladly consider proposals to reduce these rates, but as it is, they cannot possibly at present consider any proposal of reduction in their revenue. With these remarks I beg to move my motion.

The following motion was called but not moved:—

Kazi EMDADUL HOQUE: "That the demand of Rs. 2,51,900 under the head '7B.—Judicial Stamps' be reduced by Re. 1 (to raise a discussion on Judicial stamps)."

MUNINDRA DEB RAI MAHASAI: I beg to move that the demand of Rs. 6,02,000 under the head "7.—Stamps" be reduced to Rs. 50,000.

Sir, my intention in moving this cut is to draw the attention of the Finance Member to the fact that when the stamp rates were increased in 1922, Sir John Kerr on behalf of the Government assured the House that the amount so raised will be set apart for the nation-building departments. Sir, we all know how the nation-building departments fared in the allotment of funds, the major portion being absorbed on the reserved side. Sir, I shall be glad if the Hon'ble Finance Member will take the trouble of informing this House the amount of money realised therefrom and the amount set apart from this source for the nation-building departments during the last eight years.

Another point for my contention is that the increase in the price of non-judicial stamps is telling heavily on the poor people of this Presidency which necessitated further consideration about the advisability of its reduction.

6 p.m.

The Hon'ble Mr. A. MARR: Sir, I think the main point in the mover's remarks is that enough money has not been given to the nation-building departments from the revenues derived from the increased stamp duties, as promised at the time when the Stamp Bills were passed. At that time it was estimated and hoped that the increased duties would produce an extra revenue of Rs. 1,40,00,000 and out of that sum one crore of rupees was intended to balance the budget and it was hoped that the balance of about Rs. 40,00,000 would be available for the nation-building departments to be spent on their schemes. Immediately after these Stamp Bills were passed, a slump in trade occurred, revenues fell very seriously and the increase in revenue which was expected from the enhanced stamp duties was not realised. Government were unable to give the nation-building departments the extra sum that they had hoped to give. That slump we still have not been able to get over. As all members of this House are aware, we have been struggling and struggling hard during the last ten years to get over our financial difficulties. As a matter of fact, however, the nation-building departments have not been neglected quite as much as some people think. The mover wanted to have some idea as to what has happened during the last ten years as regards funds for the nation-building departments. I have got figures here under five heads. The figures are for the years 1921-22, 1924-25, 1929-30 and the budget for 1931-32. Under "Education" the increase has been from Rs. 1,19,39,000 or rather Rs. 1,20,00,000 to Rs. 1,40,00,000, an increase of 17·6 per cent. Under "Medical" the increase has been from Rs. 51,22,000 to Rs. 59,25,000, an increase of 15·67 per cent. Under "Public Health" there has been an increase from Rs. 23,34,000 in 1921-22 to Rs. 42,90,000, or practically Rs. 43,00,000, in 1931-32, an increase of 83·8 per cent. Under "Agriculture" the expenditure rose from Rs. 20,44,000 in 1921-22 to Rs. 27,99,000 or Rs. 28,00,000 in 1931-32, an increase of 86·9 per cent. And under "Industries" the increase has been from Rs. 11,26,000 to Rs. 13,27,000, an increase of 17·85 per cent.

Taking all these five departments together, the average increase in expenditure during the last ten years works out at 34·36 per cent. So although we were not able to give these departments increased grants to the extent that we hoped for, still it will be seen from the figures I have quoted that we have given them something. I hope that the mover in view of these facts will not press his motion.

The motion of Munindra Deb Rai Mahasai was then, by leave of the Council, withdrawn.

Maulvi SYED JALALUDDIN HASHEMY: Sir, I beg to move that the demand of Rs. 6,02,000 under the head "7.—Stamps" be reduced by Rs. 100 [fall of stamp revenue, consequent on the passing of the Bengal Tenancy (Amendment) Act].

Sir, I did not murmur when the Bengal Tenancy (Amendment) Bill was passed, nor do I murmur now to further amend the said Act because I was definite that the Government would reap the harvest of its own sowing. The Government will be compelled to do away with clauses dealing with the landlords' fee and the right of pre-emption. The fall of stamp revenue is an eye-opener and it is high time for the Government to introduce a Bill to further amend the Bengal Tenancy (Amendment) Act to abolish the landlords' fee and the right of pre-emption.

The Hon'ble Sir PROVASH CHUNDER MITTER: Sir, I think the mover of the motion is under a misapprehension. Owing to the general trade depression there have been falls under all heads of stamp revenue, as the following figures will show. If the mover will refer to page 14 of the civil estimates, he will find that the falls under items which are absolutely unconnected with the amended sections of the Bengal Tenancy Act are much larger than the falls under items which may have some connection with those sections. Under "Foreign Bill Stamp" in 1929-30 the fall was from Rs. 3,65,822 (actuals of 1928-29, page 14 of civil estimates for 1930-31) to Rs. 3,23,077 (actuals of 1929-30, page 14 of civil estimates for 1931-32) and the fall continued and the revised estimate for 1930-31 was Rs. 2,00,000 and the budget estimate for the year 1931-32 is Rs. 2,25,000. Under "Bills of Exchange or Hundi Stamp" the fall was from Rs. 1,37,240 (actuals of 1928-29) to Rs. 92,100 in 1929-30 and Rs. 60,000 in 1930-31 (revised estimate). The budget estimate for 1931-32 for this is Rs. 75,000. Under "Share Transfer Stamp" the fall was from Rs. 6,32,847 (actuals of 1928-29) to Rs. 6,41,000 (actuals of 1929-30) and to Rs. 4,10,000 in 1930-31 (revised estimate). The budget estimate for 1931-32 for this is Rs. 5,70,000. In other words under these three items the fall from the actuals of 1929-30 to revised of 1930-31 was 37 per cent., 33 per cent., and 36 per cent., respectively. Under the head "Other General Stamps" which includes receipts from transfer of occupancy holdings under the Bengal Tenancy Act the fall from the actuals of 1929-30 to the revised of 1930-31 has been from Rs. 84,00,000 to Rs. 68·85 lakhs. The percentage of fall for this item which has some concern with the Bengal Tenancy Act is only 18 as against 37, 33 and 36 of the previous items which have no connection at all with the Bengal Tenancy Act. It will, therefore, be seen that the fall in revenue is due to the general depression and not to the Bengal Tenancy Act. As regards the fall under "Other General Stamps" we find that the fall under items absolutely unconnected with section 26 or section 48H of the Bengal Tenancy Act is quite high. That indicates that the fall is general, due to general depression and not because of the Bengal Tenancy Act.

We may next take some "Registration" figures to illustrate this. The number of registration of documents under sections 12 and 18 of the

Bengal Tenancy Act in 1926 was 1,42,000 in 1927 1,38,000, in 1928 1,32,000, in 1929 1,03,000 and about the same figure in 1930. The fall has been from the year 1929. Then under "Leases other than those under section 48H" the figures are as follows: In 1926 the number was 4 lakhs and odd, in 1929 it was 3,71,000 and in 1930 it came down to 2,77,000. But these have nothing to do with the Bengal Tenancy Act. The number of total compulsory registrations (all classes) affecting immoveable property came down from 17,21,000 in 1926 to 14 lakhs and odd in 1929 and the number of optional registrations from 51,746 in 1926 to 42,686 in 1929. All these figures will go to show that the general depression is really responsible for the fall in revenue and the Bengal Tenancy Act has nothing to do with it. It will also be seen that the serious depression began from the year 1929 and the amended Bengal Tenancy Act came into force the same year. Some people therefore came to the conclusion that the fall in Stamp and Registration income was due to the amendment of the Bengal Tenancy Act. A closer examination however shows that the fall was due to general depression. If hon'ble members who are interested in this question would like to examine the matter in detail, I shall be very glad to discuss with them. I hope, Sir, after this statement of mine, the hon'ble mover will withdraw the motion.

The motion of Maulvi Syed Jalaluddin Hashemy was then, by leave of the Council, withdrawn.

The following motions were called but not moved:—

Maulvi NUR RAHMAN KHAN EUSUFJI: "That the demand of Rs. 6,02,000 under the head '7.—Stamps' be reduced by Rs. 100 (effect of raising of the stamp duties)."

Maulvi ABDUL HAMID SHAH: "That the demand of Rs. 6,02,000 under the head '7.—Stamps' be reduced by Rs. 100 (exorbitant rate of stamp duties)."

Maulvi HASSAN ALI: "That the demand of Rs. 6,02,000 under the head '7.—Stamps' be reduced by Rs. 100 (exorbitant stamp duties)."

MUNINDRA DEB RAI MAHASAI: "That the demand of Rs. 6,02,000 under the head '7.—Stamps' be reduced by Rs. 100 (exorbitant rate of stamp duties)."

MUNINDRA DEB RAI MAHASAI: "That the demand of Rs. 6,02,000 under the head '7.—Stamps' be reduced by Rs. 50 (to raise a discussion about the policy and expenditure involved and also on the ground of economy)."

The motion that a sum of Rs. 6,02,000 be granted for expenditure under the head "7.—Stamps" was then put and agreed to.

The time-limit having been reached the following motions under the head "7.—Stamps" were not called:—

Babu KHETTER MOHAN RAY: "That the demand of Rs. 6,02,000 under the head '7.—Stamps' be reduced by Re. 1 (to raise a discussion about the promise made by Government to apply the excess revenue raised by raising the scales of stamps to the nation-building departments)."

Haji BADI AHMED CHOUDHURY: "That the demand of Rs. 6,02,000 under the head '7.—Stamps' be reduced by Re. 1 (increase in the price of stamps)."

Khan Sahib Maulvi BAZLUL HUQ: "That the demand of Rs. 6,02,000 under the head '7.—Stamps' be reduced by Re. 1 (to draw attention to the exorbitant rate of stamp duties levied)."

Maulvi ABDUL HAKIM: "That the demand of Rs. 6,02,000 under the head '7.—Stamps' be reduced by Re. 1 (excessive value of stamps, both judicial and non-judicial)."

Mr. SARAT CHANDRA BAL: "That the demand of Rs. 6,02,000 under the head '7.—Stamps' be reduced by Re. 1 (exorbitant rate of stamp duties)."

6-15 p.m.

8.—Forests, 8A.—Forest capital outlay charged to revenue, and 52A.—Forest capital outlay not charged to revenue.

The Hon'ble Alhadj Sir ABDELKERIM GHUZNAVI: On the recommendation of His Excellency the Governor, I beg to move that a sum of Rs. 10,35,000 be granted for expenditure under the heads "8.—Forests" and "8A.—Forest capital outlay charged to revenue" and "52A.—Forest capital outlay not charged to revenue."

Sir, I think it will clarify the position if I am permitted to make some observations regarding this department. At the outset hon'ble members of this House will notice that the demand for this year 1931-32 is less than that of the last year 1930-31 by Rs. 1,09,000. The reason for this decrease is that although this is a remunerative and revenue-producing department which secures more money for Government to spend on the nation-building departments, we have been compelled owing to the present financial conditions to reduce expenditure below

the normal. As explained by me last year, the Department of Forest is very remunerative. There has been a steady increase in the net revenue of the department and after deducting the recurring and capital expenditure, there was in the past roughly a clear profit of about Rs. 12,00,000 annually. During 1928-29, the net revenue exceeded Rs. 14,00,000. In 1929-30, the surplus was slightly less than that. Although there has been decrease in revenue of Rs. 4,52,000 during the first nine months, owing to the abnormal trade depression and economic condition, the current year's working is expected to result in a net revenue of about Rs. 10,00,000. It is well known to the members of this House that for several reasons the resources of this Presidency are limited and we are handicapped in various ways and we, therefore, naturally desire an expansion of revenue of this department. To secure that object, development of the department is absolutely necessary and as a practical step in that direction, Government have sanctioned the introduction of a complete change in the management of the Sundarbans forests by establishing what are called ranges, in place of the existing revenue stations.

The trees that principally grow in the Sundarbans are in their order of profusion and importance, *sundri*, *gengwa*, *goran*, *kiora*, *baen*, *singra*, *passur*, *amur*, *kankra*, etc. Of these *sundri* is used for house-posts and for building boats.

Gengwa is used for matches and box-planking; it does not make good firewood, though it is used as such by poorer people.

Goran is used for small house-posts and fencing purposes as well as for firewood. Its bark is used for dyeing fishing nets and tanning leather.

Keora and *baen* are used for cheap planking. The latter is, however, a popular firewood.

Singra is only used for firewood.

Passur makes better house-posts than *sundri*.

Amur is used for *hukka* stems.

Kankra is also used for house-posts.

All these trees grow in most luxurious abundance. Then there is the palm like *golpatta* trees, the leaves of which are largely used for thatching purposes.

The Sundarbans forests are undoubtedly one of the most valuable Government properties and anyone who happens to inspect these forests cannot fail to be impressed with the urgent necessity of taking suitable measures for the protection of this valuable Government property and

its development. It is a great pity that the recent scheme for the development and protection of these innumerable trees, that went through the schedules, had to be given up owing to the present financial crisis calling for retrenchment. I am perfectly certain that if Government were even to borrow the necessary funds for pushing on with the scheme at once, it would pay and add considerable annual revenue to Government coffers.

Mr. PRESIDENT: Sir Abdelkerim will you be long?

The Hon'ble Alhadj Sir ABDELKERIM CHUZNAVI: I shall take sometime, Sir.

Mr. PRESIDENT: Then I had better adjourn the Council now. You may speak when we reassemble.

[At 6-20 p.m. the Council was adjourned for prayer and it reassembled at 6-35 p.m.]

The Hon'ble Alhadj Sir ABDELKERIM CHUZNAVI: I was telling the House before the adjournment as to how the valuable forests of Sundarbans can be properly developed and made to yield considerably more revenue to Government.

The system of management of the above forests, followed at present, is wasteful and destructive of the capital stock of the forest which is cleaned out owing to the absence of any adequate local agency for the supervision of these forests. At present proper methods are applied to the extraction of *sundri* wood only. A coupe is marked off, trees are enumerated, marked for cutting, sold by auction, and extracted by purchasers under close supervision. But it has not been possible to follow this system in other cases and to prevent waste; as a result, two important species *baen* and *gengwa*, valuable for match making and fuel, as has been already stated, have been heavily over-cut. During the past quarter of a century, there has been an enormous increase, particularly in the neighbourhood of Calcutta, in the demand for *gengwa* for fuel and house-posts: the recent development of the match industry in India has also contributed to this increase in demand. The demand for forest produce of the above varieties and also for *golpatta* cannot be met except from the forests in this division; but the enumeration of trees since 1926 have proved that the older classes of several valuable species have almost entirely disappeared.

In fact, Sir, we have for years been entering heavily into our capital. About five years ago, the Inspector-General of Forests pointed out that without proper working plans of all types, the forests of the

Sundarbans, a valuable possession of the Government of Bengal, would be ruined and that without a properly organised staff of assistants and rangers with territorial charges, it was quite impossible to manage the forests. Government is now faced with the alternative of prohibiting the felling of several varieties and restricting the output of *gengwa* to half its present volume, or the introduction of proper methods of control over 3,500 square miles of this area. Government are unwilling to accept the recommendation that extraction of *gengwa* should be completely stopped as it will prejudicially affect the supplies to the match factories in Calcutta. Uncontrolled extraction has already resulted in decrease in revenue. During the year 1928-29 the receipts of the division decreased by about Rs. 1 lakh. During the year 1929-30 the receipt remained almost stationary. During this year it is estimated that there will be a further decrease of about Rs. 50,000 in revenue.

Now, Sir, the system which it is proposed to introduce, will preserve the capital stock and permit the extraction under proper control of the annual increase only, so that the forest will continue to be an asset of undiminished value to Bengal and secure to the people of this Presidency, particularly to the population of Calcutta and neighbourhood, the maximum continuous supply of forest produce. The cost of the scheme, as I informed the members of this House last year, is about rupees three-quarters of a lakh as non-recurring for new boats and *dingis* and nearly half a lakh of rupees for recurring charges. With the approval of this Council, necessary provision of funds was made in this year's budget but it is a matter for regret that in consequence of the abnormal financial stringency, this important scheme for the development and protection of these forests had to be slowed down and the expenditure had to be curtailed. Provision for the balance of the expenditure is being made in the next year's budget. Now, Sir, there are two circles, the Western and the Eastern. The latter alone requires to be divided into at least four, if not five, ranges if effective protection were desired. These ranges again should be divided into many beats. No portion of the Government forests in this province is more undermanned and under-staffed in spite of the fact that this is the most valuable of all forests. I may mention, Sir, that the inspection of the Sundarbans forests made by me in November last along with the Conservator of Forests (Southern Circle) and the Divisional Forest Officer, has impressed me strongly with the absolute necessity and importance of the scheme and I am firmly convinced that the sooner effect is given to the scheme the better will it be both for Government and the public at large, particularly the people of Calcutta and neighbourhood. Every care has been taken to avoid the inclusion of any unnecessary expenditure. Sir, the decreased demand under the head "8.—Forests" includes the provision required for the introduction of the range system in the Sundarbans Forest Division.

The demand under the head "8A.—Forests—Capital outlay charged to revenue" includes the provision of funds for the three following schemes:—

(a) Improvements to communications and buildings.

(b) Replacement of the motor-launch *Sylvia* which has become unserviceable. An efficient launch is an absolute necessity for proper control and supervision in the Sundarbans.

(c) Installation of an electric overhead travelling crane for the Kurseong Forest Division. This will result in a considerable saving in recurring expenditure.

For a quasi-commercial and revenue-paying department like the Forest Department, the necessity of these items are obvious and need not be explained in detail. I may, however, point out here that launches are a necessity for the Sundarbans officers in order to prevent unwarranted cutting of trees, etc. No other officers under Government live in such out-of-the-way places and undergo so much hardship as our Sundarbans officers. There is no communication with the outside world some time for weeks together. The only communication possible for them is the tug running once a week from Khulna bringing in the mail, food-stuff and medical supplies. The next year's expenditure is thus required to meet unavoidable remunerative expenditure. With the increase in expenditure, the revenue has also correspondingly increased. Thus an increase of expenditure from Rs. 11,22 lakhs in 1918-19 to Rs. 16,65 lakhs in 1929-30 was followed by an increase in revenue from Rs. 19,55 to Rs. 30,52 lakhs in the same period. The increase in the revenue is thus double the increase in expenditure. There is every likelihood of further increase in revenue if better supervision of the working of the department can be secured; and with this object the department has been pressing Government for some time for strengthening the staff of the department—subordinate, executive and ministerial. Much as I would like to see Sundarbans develop, and much as I am convinced that it is one of the greatest assets of Government, I am sorry to say that it is not possible for the Government as a whole to spend more money on Sundarbans at present, though I think that money spent on the same would be money earned. In the present economic position of the Presidency, the proposal has not, however, yet been accepted. In the circumstances, I confidently hope that the Council will agree that the reduced demand is absolutely necessary and will vote it.

Sir, I am sure the members of the House are quite as anxious as ourselves to see the revenue increased and if they would only pay a visit to Sundarbans they will agree with me, I am sure, that the Sundarbans form a very valuable asset in this direction.

Mr. NARENDRA KUMAR BASU: I beg to move that the demand of Rs. 41,500 under the head "8B.—Forest—Establishment—Pay of officers" be reduced by Re. 1 (duplication of posts of Conservators).

Sir, I should be very brief as out of the one hour allotted to this subject, the Hon'ble Member in charge has taken 35 minutes over his demand for grant and I do not know whether sufficient time will be left for me and others to speak on our motions. However, Sir, I must say at once that in spite of the financial stringency of which we have been hearing so much from every Hon'ble Member in charge of his respective Department, it seems to me to be a very doubtful policy to have two Conservators of Forests in Bengal. For the last two years, as the members are aware, the forest area of Bengal is constituted in five administrative districts, namely, Darjeeling, Jalpaiguri, Khulna, Chittagong and a small forest area in Dacca. Sir, I fail to see any reason why there should be two Conservators of Forests for these five districts when they had previously been managed by one Conservator of Forests quite efficiently. Members of the House ought to know that the average salary of a Conservator of Forests is Rs. 2,000 a month and the duplication of the Conservator of Forests means duplication of offices which again means extra expenditure in these days of financial stringency and economy. It may be that the forest revenue has increased or, as the Hon'ble Member said, may be increased to a considerable extent; but that is no reason why some more money should be put into the pocket of high officers and not go into the coffers of Government. So far as the Sundarbans forests are concerned, the staff is very much undermanned. I expect that there should have been more officers for the Sundarbans ranges. But instead of that there is a duplication of highly paid officers in the Forest Department which should be stopped.

6-45 p.m.

Mr. W. L. TRAVERS: I would like to say a word or two in opposition to this motion. The mover has said that it is a very doubtful policy of economy to appoint another Conservator. It is not a matter of economy at all. It is a matter of efficiency. The Hon'ble Member has told us that Bengal has enormous forest assets and in accordance with modern forestry those assets are not being properly conserved and not being properly developed. One of the new factors in the next year's budget is that there is a larger sum provided for the conservancy of forests. Well, there are so many schemes to deal with and so much provision to make for them that it is quite impossible for one Conservator to do the work efficiently at all. As many members of the House are aware, I live in the forest area and know a great deal

of the forests of Bengal. I will give you a practical instance which will show the members of this House the amount of work that is being done by the new Conservator in charge of the Southern Circle. He is a most efficient officer. I can assure you, Sir, I was with him on the day before he left Bengal; during the whole period that he had been Conservator he did not spend more than a day in his Calcutta office. The whole of the remaining period he was on tour supervising and inspecting schemes. I think that is a sufficient proof to give to this House that the services of another Conservator are, most urgently required. It is a maxim of modern forestry that out of the revenue derived from forests, 60 per cent. goes to the development of forests and 40 per cent. towards supervision. If you compare Bengal with other countries, you will find that a very insufficient amount goes to the development of forests.

The Hon'ble Alhadj Sir ABDELKERIM CHUZNAVI: The arguments put forward by the mover of the motion, so far as the Southern Circle is concerned, have been very fully met by Mr. Travers when he said that the late Conservator of Forests spent only one day in Calcutta and spent the whole of the rest of his time on inspection and touring. The Northern Circle extends right along Darjeeling and the hill tracts and it is very necessary, to ensure efficient working in these areas, that there should be a second Conservator. I may further inform the mover that the posts of the two Conservators are held by Indian Forest Service officers and, as such, their pay is non-voted and is not liable to the vote of the Legislative Council. The amount mentioned relates to the pay of the superior officers of Provincial Forest Service. The increases in revenue in the department, and in the area under its control, fully justify the creation of the post of the second Conservator in this presidency. While in 1883-84 the difference between revenue and expenditure was Rs. 3·60 lakhs and in 1917-18, Rs. 7·30 lakhs, since then it has mounted rapidly; and there was in the past roughly a clear profit of about Rs. 12,00,000 annually. During 1928-29 the net profit came to even more; during 1929-30, and this year, there has been some decrease in revenue, specially due to the general trade depression.

The necessity for dividing the Bengal Forest Department into two circles was felt in 1920, when Sir George Hart, Inspector-General of Forests, urged the formation of two circles and pointed out that Government revenue was sufficient to warrant the division. The then Conservator of Forests submitted proposal for the creation of an additional forest circle in this presidency. At that time the Bengal charge had eight territorial divisions, since increased to ten. The proposal was not then accepted by Government. It was renewed, and after careful consideration extending over several years, this Government

accepted it on the ground that the area of the forests brought under the administration of the department, and the revenue derived from them, have steadily increased since the proposal was first made. Similarly, the total area of reserved and protected forests is 7,157 square miles and of unclassed forest 3,445 square miles. With the amount of work on hand the Conservator of Forests was not in a position to exercise that amount of close supervision which the nature of the work demanded. The proposal was sanctioned by the Secretary of State. It has not involved any increase in the cadre of the Indian and Provincial Forest Services. The post of a Deputy Conservator of Forests has only been converted into that of a Conservator of Forests and a small additional establishment, ministerial and menial, has been sanctioned.

It will be seen from this that there was necessity for a second Conservator of Forests. I hope my friend will observe that the economy he proposes is a very false economy. It means that a very large forest area will be left uncared for and uncontrolled; it would mean inefficient work; it would mean that the revenues of the province will stand to lose a great deal. I think I have been able to state the position to my friend, and I hope he will not press the motion.

The motion of Mr. Narendra Kumar Basu was then, by leave of the Council, withdrawn.

Babu SATYENDRA KUMAR DAS: I beg to move that the demand of Rs. 4,33,000 under the head "8B.—Establishments" be reduced by Re. 1 (reorganisation of the Forest Service and the pay and prospects of the officers of the department).

Sir, my object in moving the motion which stands in my name is primarily to draw the attention of Government to the differential treatment accorded to the officers of the Forest Department of the Government of Bengal, specially in regard to their pay, promotion, transfer and recruitment as compared with those of the said department in the provinces of Bihar and Orissa and Assam.

As to pay, I would submit that the pay of the Provincial Service officers of the Bengal Forest Service is less than that prevailing in Assam and Bihar and Orissa. The pay scale of the Subordinate Forest Service is also less than what it is in the aforesaid provinces; so also the pay of the ministerial officers of the department, though their duties are identical. All the three classes of officers as mentioned aforesaid represented their grievances to Government but to no effect. I would also take this opportunity of pointing out that when there are vacancies in the upper grade in the Conservator's office, the senior officers of the divisional office are not promoted, but contrary to the laws of equity and justice, only the junior officers of the Conservator's

office are given promotion to fill up those vacancies. I desire also to submit that the percentage of temporary ministerial officers is so large in comparison with that of the permanent staff that those temporary officers are not made permanent for a long time. It would also appear from the answers given to my questions at one of the previous meetings during the current session that the Government are very slow in giving effect to the recommendations of the Lee Commission so far as recruitment and Indianisation of Forest Service are concerned. It is a matter for deep regret that although the Bengal forest yields a decent income, the Government are too indifferent to the pay scale of the officers of the Forest Department which has only the effect of putting a premium upon dishonesty, a factor which should be guarded against by all means. I hope, therefore, that in view of the circumstances already stated, a sympathetic response will be forthcoming from the Hon'ble Member in charge of the Department.

With these words I commend my motion to the acceptance of the House.

Mr. NARENDRA KUMAR BASU: Sir, I whole-heartedly agree with my friend who has just moved this motion that the pay and prospects of the Bengal Forest Service and the Subordinate Forest Service have got to be looked into. The House is probably not aware that when after the War there was a general revision of the pay of all the provincial services in Bengal, the pay of the Provincial Forest Service was revised backwards, that is to say, their pay and prospects became lesser than they were before the War. In fact, before the reorganisation of the service there were two posts of Extra Deputy-Conservators of Forests which were open to the members of the Provincial Forest Service. After the reorganisation, those two posts were abolished and in lieu thereof two posts of the Indian Forest Service were made over to them as listed posts; but so far as the pay and prospects of the officers were concerned, they were not improved in any way. Here, after having got these listed posts, they were certainly not better off than they were before. The Hon'ble Member-in-charge has already informed the House that the Forest Service is a productive service and that the Forest Department contributes largely to the revenues of Government and is expected to contribute more largely, but unfortunately no increase in revenue is reflected in the pay and emoluments of the Forest Service officers. The Hon'ble Member himself has told the House under what depressing circumstances and under what discomforts the officers of the Forest Department have got to work, but in spite of that, as I have said, after the War no increment was given to the Forest Service officers, while the pay of all the other provincial services was increased. I submit that it is high time that the grievances of these officers who are very few in number should

attract the sympathetic interest of the Hon'ble Member in charge of the Department. I shall certainly get a reply that in these days of financial stringency no increment of pay can be given. I submit that here is a class of officers who are contributing to the increased revenue of Government and that they certainly ought to have an increase of pay in spite of the financial stringency.

Adjournment.

The Council was then adjourned till 3 p.m., on Thursday, the 19th March, 1931, at the Council House, Calcutta.

Proceedings of the Bengal Legislative Council assembled under the provisions of the Government of India Act.

THE COUNCIL met in the Council Chamber in the Council House, Calcutta, on Thursday, the 19th March, 1931, at 3 p.m.

Present:

Mr. President (the Hon'ble Raja Sir MANMATHA NATH RAY CHAUDHURI, KT., of Santosh) in the Chair, the four Hon'ble Members of the Executive Council, the three Hon'ble Ministers and 109 nominated and elected members.

Starred Question

(to which oral answer was given).

Transfer of Babu Bepin Chandra Ganguly from Berhampore Jail to Midnapore Jail.

***150. Mr. SYAMAPROSAD MOOKERJEE:** (*a*) Will the Hon'ble Member in charge of the Police Department be pleased to state whether a person convicted under the Ordinances or under sections of the Penal Code not involving moral turpitude during transfer from one jail to another is to be put in handcuffs and rope round the body?

(*b*) Is it a fact that Babu Bepin Chandra Ganguly, a Municipal Commissioner of the Corporation of Calcutta, was recently transferred from the Berhampore Jail to the Midnapore Jail with handcuffs on and rope round the waist?

(*c*) Will the Hon'ble Member be pleased to state—

(*i*) under what section he has been convicted, and

(*ii*) what instructions, if any, were issued for the purpose of securing the transfer of Babu Bepin Chandra Ganguly in the way mentioned?

MEMBER in charge of POLICE DEPARTMENT (the Hon'ble Mr. W. D. R. Prentice): (*a*) The custody of prisoners on transfer from one jail to another is a police duty. According to the rules in force all convicts shall be handcuffed during transit, but instructions have been issued that police escorts should not use handcuffs except in case of necessity.

(*b*) Yes.

(c) (i) Sections 157 and 117, Indian Penal Code, read with the Salt Act and Picketing Ordinance.

(ii) Before the escort party left the Police Lines the Officer-in-charge was specially instructed not to use handcuff unless it was necessary. When the escort reached the jail, the officer in charge of the escort was warned by the jail authorities to be specially vigilant in view of the demonstration going on at the time of the prisoner's removal.

Mr. SYAMAPRDSAD MOOKERJEE: Will the Hon'ble Member be pleased to state under what rules a rope was put round the waist of this gentleman?

The Hon'ble Mr. W. D. R. PRENTICE: There are no such rules.

Mr. SYAMAPROSAD MOOKERJEE: Will the Hon'ble Member be pleased to state what justification the Police had for putting a rope round his waist?

The Hon'ble Mr. W. D. R. PRENTICE: None, so far as rules go. But this has been the invariable practice for some years past.

Mr. SHANTI SHEKHARESWAR RAY: Will the Hon'ble Member be pleased to state whether this action was taken to add to the humiliation of a political prisoner?

The Hon'ble Mr. W. D. R. PRENTICE: I have explained that that was not the object, especially as instructions were given not to use handcuffs but as I pointed out, demonstrations were going on at the time of the prisoner's removal and special precautions were necessary.

Mr. NARENDRA KUMAR BASU: Will the Hon'ble Member be pleased to state whether there was any reason for tying a rope round the waist of a prisoner?

The Hon'ble Mr. W. D. R. PRENTICE: I have already issued an order to have the need for the use of ropes investigated.

Mr. NARENDRA KUMAR BASU: Will the Hon'ble Member be pleased to state whether, if there are no rules for tying ropes round the waist of prisoners to be escorted, he will consider the question of issuing an order on the police?

The Hon'ble Mr. W. D. R. PRENTICE: I have already answered that.

DEMANDS FOR GRANTS.

The discussion under the heads "8.—Forests," "8A.—Forest capital outlay charged to revenue," and "52A.—Forest capital outlay not charged to revenue" was then resumed.

Mr. NARENDRA KUMAR BASU: In view of the fact that there are only 10 minutes left for the discussion of this grant I will speak very briefly and just draw attention to the fact that officers in this province who joined the service at the same time as officers in other provinces are not drawing anything like the higher salary that are paid to officers of the same rank in other provinces. I also draw attention to the fact that in to-day's *Calcutta Gazette* has been published the information that a deputy ranger was killed by tigers. This brings home the circumstances in which officers of this department have to work. I hope that Government will pay greater attention to this matter and endeavour to improve the pay and prospects of the officers in the Forest Service in this province, which may truly be called the Cindrella Service.

The Hon'ble Alhadj Sir ABDELKERIM GHUZNAVI: There are one or two points to which I would like to refer. One is the question of the increase of pay of officers in the Department of Forests. The pay of these officers in Bengal is the same as in the Central Provinces and Bombay: in Assam it is higher, namely, Rs. 300—50/2—850.

The case of these officers deserves every consideration but, Sir, we find that as soon as one department of Government starts to revise the pay of its officers, other departments put in simillar requests; therefore the practice is to go in for revision of pay of all officers in all the departments of Government at the same time.

Well, with regard to the pay of the officers of the Forest Department, the pay was revised in 1920. The position is as follows: The Forest Service is divided into two, one an All-India Service, and the other a Provincial Forest Service. As regards the former being an all-India service reorganisation of that service is a question which primarily concerns the Government of India and has nothing to do with the local Government. On the recommendation of the Lee Commission certain concessions have been granted to that service.

I come next to the figures for the Provincial Forest Service. Here, Sir, the scale of pay was revised as a result of the recommendations of the Public Services Commission and fixed at Rs. 250—20—550 (efficiency bar) 570—20—750. As regards the Subordinate Forest Service, this service was re-organised in 1911 and on two occasions since then and the strength and scale of pay were increased on each

occasion. In 1920 the rates of pay were raised to Rs. 60, 80, 100, 125, 150 and 200 for the six grades in which the rangers were divided. The rates of pay of the three grades of deputy rangers were raised to Rs. 40, 45 and 50. Those of the foresters were raised to Rs. 25, 30 and 35 and of the forest guards to Rs. 9, 10, 12, 14, 16 and 18 in each. As a matter of fact on the last occasion, *i.e.*, in 1927, the strength and scale of pay of the Subordinate Service were again revised. Rangers now receive Rs. 60, 80, 100, 125, 150 and 200. Deputy rangers receive Rs. 45, 50, 55 and foresters Rs. 30, 35 and 40.

In the last ten years the pay of the ministerial and menial establishments of the Forest Department has been twice revised, once in 1919 and again in 1922.

It has been stated by the mover Babu Satyendra Kumar Das that the pay in other provinces is slightly higher. It is true that this is so in Assam, but this scale of pay has nothing to do with the scale of pay in Bombay and the Central Provinces.

As regards the Bengal Provincial Forest Service, the Lee Commission examined the matter carefully, and they recommended that 12½ per cent. of the Indian Forest Service should be recruited by promotion from the Provincial Forest Service. After the visit of the Royal Statutory Commission, the matter was further considered by the Government of India, who decided that the percentage of recruitment to the Indian Forest Service by promotion from the Provincial Forest Service should be 25 per cent. instead of 12½ per cent., but that the increase should be gradual so as not to dislocate the working of the Forest College at Dehra Dun; and the local Government has been asked to report annually to the Government of India about the matter. It is true that the recent vacancies have been filled up by the Government of India by direct recruitment instead of by promotion from the Provincial Forest Service cadre. The matter has been brought to the notice of the Government of India; and as at present there are no vacancies, it is proposed to ask the Government of India whether the strength of our Indian Forest Service cadre may not be increased by one or two, so that we may be able to give effect to the orders of the Government of India as regards the percentage of promotion.

I would further state that the matter has been again brought to the notice of the Government of India. I can assure the member that every consideration will be paid to the conditions of service of these officers, and most sympathetic notice will be taken of them———

[Here the Hon'ble Member having reached his time-limit resumed his seat.]

Babu SATYENDRA KUMAR DAS: In view of what the Hon'ble Member has said, I would like to withdraw my motion.

The motion of Babu Satyendra Kumar Das was then, by leave of the Council, withdrawn.

The motion that a sum of Rs. 10,35,000 be granted for expenditure under the heads "8.—Forests' and "8A.—Forest capital outlay charged to revenue" and "52A.—Forest capital outlay not charged to revenue" was then put and agreed to.

The time-limit having been reached the following motions under the heads "8.—Forests," "8A.—Forest capital outlay charged to revenue," and "52A.—Forest capital outlay not charged to revenue" were not called:—

Dr. NARESH CHANDRA SEN GUPTA: "That the demand of Rs. 8,74,000 under the head '8.—Forests' be reduced by Rs. 5,00,000."

Rai Bahadur KESHAB CHANDRA BANERJI and MUNINDRA DEB RAI MAHASAI: "That the demand of Rs. 8,74,000 under the head '8.—Forests' be reduced by Rs. 1,000 (to draw attention to the necessity for establishing a college of Forestry in Bengal)."

Khan Sahib Maulvi BAZLUL HUQ and Kazi EMDADUL HOQUE: "That the demand of Rs. 8,74,000 under the head '8.—Forests' be reduced by Rs. 100 (to urge upon the establishment of a training college of Forestry in Bengal)."

Maulvi SYED JALALUDDIN HASHEMY: "That the demand of Rs. 8,74,000 under the head '8.—Forests' be reduced by Rs. 100 (policy and raising of permit fee, etc.)."

MUNINDRA DEB RAI MAHASAI: "That the demand of Rs. 8,74,000 under the head '8.—Forests' be reduced by Rs. 100 (urgency of the circumstances under which the ranges are being formed in the Sundarbans involving large expenses)."

Khan Sahib Maulvi BAZLUL HUQ: "That the demand of Rs. 8,74,000 under the head '8.—Forests' be reduced by Re. 1 (to draw attention to the grievances of the Mussalmans in the matter of their appointment on population basis and the paucity of the Mussalmans in the department)."

Haji BADI AHMED CHOWDHURY: "That the demand of Rs. 8,74,000 under the head '8.—Forests' be reduced by Re. 1 (to raise a discussion on the paucity of Muhammadan officers, gazetted and ministerial, in the department)."

Mr. SARAT CHANDRA BAL: "That the demand of Rs. 8,74,000 under the head '8.—Forests' be reduced by Re. 1 (policy with reference to backward classes)."

Maulvi NUR RAHMAN KHAN EUSUFJI: "That the demand of Rs. 8,74,000 under the head '8.—Forests' be reduced by Re. 1 (to draw attention to the effect of retention by Government of the Attia Forest in Mymensingh district)."

Maulvi MUHAMMAD FAZLULLAH: "That the demand of Rs. 8,74,000 under the head '8.—Forests' be reduced by Re. 1 (to protest against favouritism in giving appointments in the Forest Department)."

MUNINDRA DEB RAI MAHASAI: "That the demand of Rs. 8,74,000 under the head '8.—Forests' be reduced by Re. 1 (policy and expenditure)."

Dr. NARESH CHANDRA SEN GUPTA: "That the demand of Rs. 1,61,000 under the head '8A.—Forest—Capital outlay charged to revenue' be reduced by Rs. 96,000."

Maulvi SYED JALALUDDIN HASHEMY: "That the demand of Rs. 1,61,000 under the head '8A.—Forest—Capital outlay charged to revenue' be reduced by Rs. 100 (to express disapproval of the action of the department in restricting in an unreasonable manner the hunting of deer in the Sundarbans)."

MUNINDRA DEB RAI MAHASAI: "That the demand of Rs. 5,000 under the head '52A (*b*).—Organisation, improvement and extension of forests—Working plans' be reduced by Rs. 5 (to raise a discussion about the policy of organisation, improvement and working plans)."

9.—Registration.

The Hon'ble Mr. KHWAJA NAZIMUDDIN: On the recommendation of His Excellency the Governor, I beg to move that a sum of Rs. 21,05,000 be granted for expenditure under the head "9.—Registration."

MUNINDRA DEB RAI MAHASAI: I beg to move that the demand of Rs. 7,000 under the head "9A.—Registration—Superintendence—Travelling allowance" be reduced by Rs. 2,500.

Sir, the intention of my motion is to draw attention of this House to the fact that the superintendence of the registration offices had not tended to improve the morale of the subordinate staff. It is an open secret that besides the registration charges, extra money has got to be spent on various people of the department not excluding the man who affixes the seal. Perhaps it may be due to low salary paid to them

which are not enough to make their two ends meet. When the Government derive substantial income from the Registration Department I do not know why they should not adequately pay to their men to keep them aloof from illegal gains and thereby prevent the squeezing of money from people who frequent the registration offices. The increase in the charges for registration of documents and the raising of the search fees are already telling heavily on the people and these extortions add to their misery. You will all agree with me that the working of the system introduced by the Bengal Tenancy (Amendment) Act which has been devised for the transmission of the landlords' fees by the registration office has benefited neither the landlords nor the tenants. As a matter of fact in most of the cases where the landlords consist of co-sharers it is impossible for them to receive payment of landlords' fees————

The Hon'ble Sir PROVASH CHUNDER MITTER: I do not understand the member's reference to the transmission of landlords' fees in connection with this motion. This matter came up in the discussion under "Land Revenue." This transmission of fees is put on a statutory basis under section 106C, Instruction 2, clause 3. I do not think the hon'ble member is in order. My complaint is that he is discussing a subject which is not within the portion of the budget which is before the House.

MUNINDRA DEB RAI MAHASAI: My point is that I was discussing the policy of these matters, but I do not wish to waste the time of the Council any further.

Dr. NARESH CHANDRA SEN GUPTA: This is a very small matter which has been brought before the Council by Munindra Deb Rai Mahasai but he has put his finger upon a most irritating wound in our body politic and I hope that the Hon'ble Minister in charge of Registration and the Hon'ble Member in charge of Land Revenue will not look upon it as a trivial thing. This trivial thing of having to pay a particle to every little officer or menial who has got to do anything in any office is such a notorious nuisance that it cannot be unknown to the members of the official bench. It is a matter that deserves most careful attention and most energetic action on the part of those at the top of the administration. Without very close attention it cannot be got rid of and it is not a question of those officers making a little legal profit out of these small transactions but it is a question of the demoralisation of the whole public service and the demoralisation of the people. I think my hon'ble friend was discussing the question of the payment of the demand for travelling allowances. I think, Sir, the motion is for a cut in the amount of travelling allowances for the superintendence staff on the ground that the superintendence is not properly exercised so that as a

result there are these evils in the registration offices. In that view, I think, this is not a matter which can be passed over. However, being known as a man of agitation and my hon'ble friend and some time pupil Hon'ble Mr. Bijoy Prosad Singh Roy———

Mr. PRESIDENT: You must not make any reference to that.

Dr. NARESH CHANDRA SEN GUPTA: I am afraid that my anxiety to remedy this evil in this matter will also call down upon me the calumny of being an impatient idealist and a man of imagination. I wish the Hon'ble Minister in charge of Registration will look into this matter and try to remove the evil and Government as well will exercise a little imagination. It will not make them less practical on this account to exercise some imagination.

The Hon'ble Mr. KHWAJA NAZIMUDDIN: From what has been said by the mover of this motion and Dr. Naresh Chandra Sen Gupta it is evident that the allowances should be increased rather than decreased because it is due to the lack of proper supervision that these abuses have crept into the department. As a matter of fact the number of inspectors for inspecting the various offices in the mufassal has been reduced owing to retrenchment and there is only one inspector. The Inspector-General of Registration and the inspector between them inspect a certain percentage of the offices in Bengal throughout the year, this charge can only be justified if it can be shown that any complaint made to the department has not received prompt attention and adequate action not taken on it. As a matter of fact we can claim that whenever any such matter has been brought to our notice, immediate steps are taken and inquiries held and where satisfactory evidence is adduced of any kind of misdemeanour on the part of a clerk or any other officer prompt action is taken.

I agree with Dr. Naresh Chandra Sen Gupta that there is a general idea that officers of the Registration Department are known to take some illegal gratification. Sir, this is a complaint which is levied not only against the Registration Department but has been directed against all Government departments, local bodies, and wherever we go we hear this complaint. After all the people who give the gratification are as much to blame as the people who take it. If people do not come forward and make a complaint it is not possible for the head of any administration to take action and until he has the co-operation of the people themselves, there is no chance of removing this evil.

3-30 p.m.

The policy that I am pursuing is that if I find that any officer has been found guilty of any such complaint I do not believe in showing any

mercy to him but I take drastic steps because I feel that this is the only way in which we can eradicate the evil if it exists. But I must also tell the House that there are cases where recommendations have been made to me to overlook the case of officers who are really guilty, and sometimes by members of this House, on the ground that they are poor men and they may be let off this time with some minor punishment. I can prove from the records that we have taken action against those officers against whom charges have been established. On the other hand there is also this fact that frivolous complaints are often made against officers of this department, which on inquiry turn out to be absolutely false, and many officers suffer simply because the department has a bad name. Whenever people find that a sub-registrar does not agree with them they bring in a charge of this character. But we are not prepared to take action unless we are satisfied that the officer is really guilty, and the only thing I can say is that so far as this cut is concerned there is no justification for supporting it.

MUNINDRA DEB RAI MAHASAI: In view of what has fallen from the Hon'ble Minister, I beg to withdraw my motion with the leave of the Council.

Leave to withdraw the motion of Munindra Deb Rai Mahasai was not given so the motion was put and lost.

The following motions were called but not moved:—

Mr. NARENDRA KUMAR BASU AND MUNINDRA DEB RAI MAHASAI: "That the demand of Rs. 190 under the head '9A.—Registration—Superintendence—Hill Allowance' be refused."

MUNINDRA DEB RAI MAHASAI: "That the demand of Rs. 84,000 under the head '9A.—Registration—Superintendence' be reduced by Rs. 10,000."

Maulvi TAMIZUDDIN KHAN: I beg to move that the demand of Rs. 1,36,000 under the head "9B.—District charges—Total cost of transmission of landlords' fees" be reduced by Rs. 1,000 (costs levied for transmission of landlords' fees).

I have looked into the budget figures and from them it is not possible for me to ascertain what are the exact realisations on account of the cost of transmission of landlords' fees. But there is a general idea that the realisations are much more than is necessary for the transmission of these fees. If this is correct, then I think immediate steps should be taken by the Government so that————

Mr. PRESIDENT: Are you moving this as an economy cut?

Maulvi TAMIZUDDIN KHAN: Not as an economy cut but as a token cut.

Mr. PRESIDENT: Then how can you discuss this question? I do not think the Registration Department is responsible for this.

Maulvi TAMIZUDDIN KHAN: There are two points involved in this. One point is whether the levy of a fee of 10 per cent. is exorbitant. If I had discussed that, it might have been considered doubtful whether I was in order, but I have actually————

The Hon'ble Sir PROVASH CHUNDER MITTER: I do not think that Maulvi Tamizuddin Khan can discuss this levy of 10 per cent. under the Bengal Tenancy Act, because that would appropriately come under "5.—Land Revenue." But if he merely wants to say————

Mr. PRESIDENT: That's a different matter. Do you or do you not take exception to Maulvi Tamizuddin Khan's dealing with this matter in this motion?

The Hon'ble Sir PROVASH CHUNDER MITTER: Yes, I do.

Babu JITENDRALAL BANNERJEE: May I rise on a point of order? Maulvi Tamizuddin Khan would not have been in order if he had discussed any provision of the Bengal Tenancy Act or anything imposed under the authority of that Act. It is a much narrower question than Sir Provash would make it out. Our point in this motion is that Government is not entitled to make a profit out of the cost of transmission of landlords' fees and that, I think, is a question which can be raised on a matter concerning the Registration Department, because it is the Registration Department that is making a profit.

Mr. PRESIDENT: Do you or do you not admit that the Registration Department has nothing to do with the imposition of the landlords' fees but is concerned only with the amount of fees that are collected by the Registration Department?

Babu JITENDRALAL BANNERJEE: This money is spent by the Registration Department and that is the administrative department concerned in the matter; therefore this cut can only come under this motion. If they are making a profit in the department, our point is that they cannot do so, for Government are under a pledge in this matter.

The Hon'ble Sir PROVASH CHUNDER MITTER: Mr. Bannerjee's facts are all wrong. The Registration Department does not make any

profit; it has nothing to do beyond registering documents and sending them to the collectorate. It is done by the Land Revenue Department. The fee is imposed there and the charges are distributed by the Revenue Department. These are the facts.

Mr. PRESIDENT: I think these are more or less details which do not very much concern the ruling that I am asked to give. What I feel, taking a broad view of the matter, is that the Registration Department should not be made responsible for what is complained of now and this matter should have been discussed under "Land Revenue." This cut could have been very correctly raised in connection with that subject. This motion was a misleading one and I now rule that it should not be discussed under "Registration."

The Hon'ble Sir PROVASH CHUNDER MITTER: May I point out that there are other motions of a similar kind, namely, motions Nos. 138, 139, 140, 141, 142, 143, 148, 149, 150 and 164?

Mr. PRESIDENT: I rule that these motions are out of order too.

Khan Bahadur Maulvi AZIZUL HAQUE: On a point of order, Sir. Do you think it would be fair to members if you make this ruling after the Revenue budget is passed? I can quite understand that this matter is quite out of order so far as the Registration Department is concerned, but consider, Sir, our difficulty. We cannot make our opinions heard in this Chamber because the Revenue budget is not now under discussion.

Mr. PRESIDENT: It is not a question of fairness or unfairness to individual members but a question of reality. The President, as soon as he discovers that a particular motion is out of order under the rules of this House, has got to remove it from the agenda. The point of order I have just disposed of was justly and correctly raised and I think that the motions referred to cannot be discussed under "Registration."

Babu JITENDRALAL BANNERJEE: I rise to a point of order with reference to motion standing in the name of Haji Badi Ahmed Chowdhury. That does not perhaps come under the scope of your ruling.

The Hon'ble Sir PROVASH CHUNDER MITTER: Mr. Bannerjee's facts are all wrong.

Babu JITENDRALAL BANNERJEE: I have placed no facts whatever, Sir.

The Hon'ble Sir PROVASH CHUNDER MITTER: The fact is that the fees are realised by the collectorate and not by the Registration Department.

Babu JITENDRALAL BANNERJEE: Evidently the mover expresses objection to the cost of transmission to the collectorate. So it may be discussed under "Registration," because it is the administrative department concerned.

Mr. PRESIDENT: I have already ruled that the motion you refer to is out of order and you cannot discuss my ruling.

Babu JITENDRALAL BANNERJEE: That does not come under the scope of your ruling. You have to consider the wording of the motion also.

Mr. PRESIDENT: Order, order.

The following motions were ruled out of order:—

Maulvi TAMIZUDDIN KHAN: "That the demand of Rs. 1,36,000 under the head '9B.—District charges—Total cost of transmission of landlords' fees' be reduced by Rs. 1,000 (cost levied for transmission of landlords' fees)."

MUNINDRA DEB RAI MAHASAI: "That the demand of Rs 1,36,000 under head '9B.—Registration—District charges—Cost of transmission of landlords' fees' be reduced by Rs. 100 (procedure of recording and realizing the landlord's fees and want of scrutiny to the real interests of the depositors)."

Babu KHETTER MOHAN RAY: "That the demand of Rs. 1,36,000 under the head '9B.—Registration—District charges—Cost of transmission of landlords' fees' be reduced by Rs. 100 (to raise a discussion on the amended provisions of the Tenancy Act resulting in the fall of revenue under 'Registration')."

Maulvi HASSAN ALI: "That the demand of Rs. 1,36,000 under the head '9B.—Registration—District charges—Cost of transmission of landlords' fees' be reduced by Rs. 100 (procedure in withdrawal of deposits of landlords' fees)."

Mr. SARAT CHANDRA BAL and Khan Sahib Maulvi BAZLUL HUQ: "That the demand of Rs. 1,36,000 under the head '9B.—Registration—District charges—Cost of transmission of landlords' fees' be reduced by Re. 1 (exorbitant cost realised for transmission of landlords' fees)."

Haji BADI AHMED CHOWDHURY: "That the demand of Rs. 1,36,000 under the head '9B.—Registration—District charges' be reduced by Re. 1 (to raise a discussion on the delay in transmitting landlords' fees)."

Khan Bahadur Maulvi AZIZUL HAQUE: "That the demand of Rs. 1,36,000 under the head '9B.—Registration—District charges—Total cost of transmission of landlords' fees' be reduced by Re. 1 (to urge reduction of the cost of transmission)."

Maulvi SYED MAJID BAKSH: "That the demand of Rs. 1,36,000 under the head '9B.—District charges—Total cost of transmission of landlords' fees' be reduced by Re. 1 (excessive realisation of the transmission cost of landlords' transfer fee)."

Mr. SARAT CHANDRA BAL: "That the demand of Rs. 20,21,000 under the head '9B.—Registration—District charges' be reduced by Rs. 100 (exorbitant charges for raiyats to pay)."

Maulvi MUHAMMAD HOSSAIN: "That the demand of Rs. 21,05,000 under the head '9.—Registration' be reduced by Re. 1 (drastic amendment of the Bengal Tenancy Act and its hardship on the cultivators)."

Rai Bahadur KESHAB CHANDRA BANERJI: I beg to move that the demand of Rs. 1,36,000 under the head "9B.—District charges—Total cost of transmission of landlords' fees" be reduced by Re. 1 (grievances of sub-registrars in not receiving extra remuneration for extra work done in connection with their duties under the Bengal Tenancy Act, 1928).

My motion is a very modest one; it speaks for itself. My object is to bring to the notice of Government the hard lot of the sub-registrars and clerks in the Registration offices and the indifference of Government in the matter of their pay and prospects. It is perhaps universally recognised that the work and responsibility of these officers have enormously increased in consequence of the passing of the Bengal Tenancy (Amendment) Act, 1928. More than three years have elapsed———

Maulvi TAMIZUDDIN KHAN: On a point of order, Sir. I do not understand how this motion will be in order in view of the ruling that you have just given. Here we should consider the total cost of transmission of landlords' fees. If the sub-registrars are over-worked, then the proper cut should have been brought forward on the total demand under this department, but so far as the cost of transmission is concerned, what has that to do with the grievances of the sub-registrars?

Rai Bahadur KESHAB CHANDRA BANERJI: May I be permitted to make the object of my motion clear? The object of my motion is to bring to the notice of Government the grievances of sub-registrars in not receiving any money for the extra work they have to do in connection with the Bengal Tenancy (Amendment) Act, 1928.

Mr. PRESIDENT: The question is whether you can propose this cut after my ruling. What do you say to that?

Rai Bahadur KESHAB CHANDRA BANERJI: It concerns purely the officers of the Registration Department. I would simply point out that the amount of work the new Act has involved upon these officers is excessive.

Mr. PRESIDENT: Your point is that you merely want to draw the attention of the House to the grievances of the clerks of the Registration Department and you think that the Registration Department is competent to remove these grievances.

Rai Bahadur KESHAB CHANDRA BANERJI: Yes.

Mr. PRESIDENT: All right, you may do that.

3-45 p.m.

Rai Bahadur KESHAB CHANDRA BANERJI: Sir, my motion is a very simple and modest one; it speaks for itself. My object is to bring to the notice of Government the hard lot of the sub-registrars and the clerks of Registration offices and the indifference of Government in the matter of their pay and prospects. It will perhaps be universally recognised that the work and responsibility of these officers have enormously increased in consequence of the passing of the Bengal Tenancy (Amendment) Act, 1928.

More than two years have elapsed since the amended Act has been brought into operation in this province. Early in 1929, the Bengal Registration Service Association submitted a representation to Government for an increase in pay of the registering officers and their clerks on account of the addition to the work and responsibility brought on by the introduction of the Bengal Tenancy (Amendment) Act or, in the alternative, for the grant with effect from 1st April, 1929, of an allowance to each registering officer out of the savings under the head "Cost of transmission of landlords' fees and process fees." In reply, the Secretary, Mr. Dash, stated in his letter No. 229 (Registration), dated the 27th March, 1929, that in regard to the possibility of extra work and responsibility which might fall upon Registration officers, it could not be said until the Act had been in operation for a few months how far, if at all, it would justify any concession to these officers. Nearly two years have elapsed, but nothing has practically

been done regarding the prayer of these officers, although the Inspector-General of Registration endorsed the recommendation of the District Registrars for the grant of an allowance, in his letter No. 2906, dated the 20th March, 1930, addressed to the Secretary to the Government of Bengal, Education Department, of Rs. 35 to Sadar sub-registrars, Rs. 30 to rural sub-registrars, Rs. 10 to head clerks of Sadar offices and Rs. 5 to head clerks of rural offices.

Although, there has been a general fall in the number of registrations all over the province since 1929-30, it is admitted that since April, 1929, the amended Bengal Tenancy Act has thrown a considerable amount of additional work on registering officers and the clerks.

I will now deal with the extra work that has devolved upon them:—

(1) Minute examination of documents in order to ascertain whether transfer fee is leviable or not.

(2) Verification of rent receipt with each schedule of property, noted in the document and with the settlement records.

(3) Verification of each schedule of property with notices prepared and submitted by the parties.

(4) Checking of the calculation and realisation of transfer fees, cost of transmission of the same and process fees tendered by the parties.

(5) Endorsing the above realisation on the documents and entering them in the fee book—cash book and checking court-fee stamps affixed on the applications.

(6) Checking of daily rough drafts and of weekly, monthly, quarterly and annual statements.

(7) To make separate correspondence in connection with work under the Bengal Tenancy Act and keep separate files.

(8) To check the challans of daily remittances numbering approximately three lakhs against half a lakh under the old rules.

(9) To check and send the notices numbering about five lakhs against two lakhs with challan and court-fee stamps.

(10) To count and realise the transfer fees and court-fee stamps and keep them under custody until remitted into the treasury or sub-treasury and to advance money out of private purse for remitting the transfer fees. To make good any loss for *bona fide* mistakes in realising the transfer fees. To shoulder greater responsibilities in keeping the money in safe custody and in taking special precaution against theft and burglary, there being no arrangements for guards to prevent such occurrences.

Coming now to the financial aspect of the question, I will show how Government can help these officers if they really desire to do so.

The income and expenditure in connection with the working of the Bengal Tenancy Act for 1929-30 are as follows:—

(i) Receipts.

		Rs.	A.	P.
Total cost of transmission	...	4,95,839	0	0
Process fees	...	2,69,316	0	0
Total	...	7,65,155	0	0

(ii) Expenditure.

Establishment	...	50,702	0	0
Contingencies	...	1,29,505	3	0
Travelling allowance	...	1,063	14	0
Total	...	1,81,271	1	0

Out of this total expenditure of Rs. 1,81,271, the annual recurring charge is only Rs. 1,10,271.

Providing, therefore, for expenditure in the collectorate and cost of forms amounting to Rs. 1,40,000, the net surplus may be expected to be Rs. 4,44,155 from which the poor ill-paid officers of the Registration Department may be given a sum of Rs. 2,64,000.

Of course Government will be guided by the decision of the Legislative Council regarding the budget expenditure in connection with the working of the Bengal Tenancy (Amendment) Act, the implication being that Government will not make any profit out of the money thus derived nor shall it incur any loss for its supervision and collection. The statement of Sir Provash Chunder Mitter at pages 67-72 of the Council Proceedings, 1930, Volume XXXIV, No. 3, may be taken as misleading considering the fact that he took only the account of a few months only and did not mention that the expenditure included a huge sum spent on non-recurring charges in purchasing iron chest and furniture, etc.

The extra remuneration can be claimed justly and sanctioned in the light of the provisions contained in the following Acts under which 10 per cent. of the realisation is deduced as cost of collection:—

(i) Village Chaukidari Act of 1870.

(ii) Village Self-Government Act, 1919.

(iii) Section 34 (5) of the Primary Education Act, 1930.

I may point out in this connection, Sir, that in the Customs Department, officers get extra remuneration for overtime duty. The transmission cost does not fall under the general revenue head of the Government and as such the expenditure is justified and it will not tell upon the general revenues.

It will appear from the speech of the Hon'ble Minister in charge of the Registration Department (*vide* page 149 of the Council Proceedings, Volume XXXIV, No. 3) where he said: "Registration Department has got to operate and accept the landlord's fee, etc., and perform the duties that it has been called upon to do under the Act."

From the above, it is clear that the registering officers have to handle the Act from operation to realisation for which they have to shoulder additional work and greater responsibility.

As already stated, the Secretary to the Department gave hope in letter No. 294, dated the 27th March, 1930, that the Government would consider the case regarding the extra remuneration after the Act had been in force for some time.

Besides, the registering officer has got to make good from his own pocket any deficit in the landlord's fee, etc., which he is unable to realise from the parties.

I think, Sir, I have been able to make out a case for the poor officers of the Registration Department and I hope that a sympathetic response will be forthcoming from the Hon'ble Minister.

With these words, I commend my motion to the acceptance of the House.

Maulvi ABUL KASEM: On a point of order, Sir. May I suggest that along with these motions, motions 160 and 163 be also taken?

The Hon'ble Mr. KHWAJA NAZIMUDDIN: May I suggest, Sir, that so far as motion of Rai Keshab Chandra Banerji Bahadur is concerned, it proposes a cut from the total cost of transmission of landlords' fees, but motions 160 and 161 propose a cut from the provincial revenue. So, I think they are not of the same nature.

Khan Bahadur Maulvi AZIZUL HAQUE: I beg to move that the demand of Rs. 21,05,000 under the head "9.—Registration" be reduced by Re. 1 (to draw attention of Government to the urgent necessity of equalising the pay of ministerial officers in the department with the pay of ministerial officers in the District Magistrates' offices and to urge the granting of compensatory allowances to registration officers and staff for enhanced work in connection with the landlord's fee).

My object in moving this motion must be quite obvious to the Hon'ble Minister as also to the members of the House. It is admitted that the Registration Department is a very large department, but this department has been squeezed as much as possible and the officers and clerks of the department are getting almost starvation wages. I think it is scandalous that in the 20th century, when labour movement is so much in the fore-front, Government officers should not be paid living wages; you pay your *khansamas* and *baburjis* a much higher rate of pay than you pay your clerks in the registration offices. Moreover, you have introduced much additional work in the department. In connection with compensatory allowance, Government has made it quite a profitable concern by saving a large amount of money. I think it is quite fair and reasonable that clerks in the Registration Department should get the same pay as clerks in the Collectorates as the nature of their work is the same, while the hours of the registration clerks are much more than those of the collectorate clerks. If this does not seem reasonable, then I would suggest that they should be paid overtime allowance for working overtime. My second point is that there has been a large amount of accounts work in connection with the landlords' fees, and I think it is desirable that this additional work should be taken into account and that they should be paid their due share for doing accounts work in addition to the normal work in the department. By curious coincidence in spite of the fact that certain rules have been framed in this connection, they have not yet been definitely interpreted and registration officers have to interpret these rules which means a considerable waste of time. I, therefore, suggest that this matter should be taken into consideration.

The following motion was called but not moved:—

Khan Sahib Maulvi BAZLUL HUQ: "That the demand of Rs. 21,05,000 under the head '9.—Registration' be reduced by Re. 1 (to impress upon the necessity of improving the pay and prospects of the clerks and copyists of the Registration Department)."

The Hon'ble Mr. KHWAJA NAZIMUDDIN: Sir, in moving his motion Rai Bahadur Keshab Chandra Banerji has based his claim for extra remuneration to the registration officers on the ground that there is a saving from the realisation of landlords' fees. He has also said that there has been additional work and additional responsibility. While I do not question that there is additional responsibility, there has not been additional work.

4 p.m.

From the figures, Sir, it will appear that the total number of registration of all classes in 1926 was 17,51,000. In 1929 the total

number of registration was 14,78,952. The figures for 1930 are not available. Similarly, the figures for registration of other documents, such as registration under sections 12 and 18, show a decrease. So it is evident that as far as work is concerned there has not been any increase, on the contrary there has been a decrease.

Then, Sir, the question has been raised that as there is a saving under this head the sub-registrars should be paid extra remuneration. So far as this is concerned, we do not admit this. So far as figures are available, supposing there is a saving, the Hon'ble Member in charge of the Revenue Department has committed himself to the Council that in that event there would be a reduction in the cost of transmission, and the money should not be distributed to the officers of Government. So, Sir, if there is a saving, the cost of transmission will be reduced, and if there is no saving, then the question of additional remuneration to the sub-registrars does not arise.

Then, Sir, I come to the motion of Khan Bahadur Maulvi Azizul Haque. The latter portion of his motion refers to increased work in connection with landlord's fee. I have already shown that there has not been any increase in work.

As regards his proposal for the equalisation of the pay of the ministerial officers of the department with the pay of the ministerial officers of the district offices, I submit that the two offices cannot be compared because the qualifications and responsibilities required for officers of the two offices are not the same. Secondly, as pointed out by the Hon'ble Member in charge of the Irrigation Department, Government have accepted as a definite policy that it is inadvisable to revise the pay and prospects of any one particular department at one time. It creates discontent amongst officers of other departments and it gives rise to an idea that a certain department is more favoured than another department. So we have decided that as far as the raising of the pay of officers is concerned, this is not an opportune time owing to the present financial stringency. When the finances of Government improve, the question can be taken up and the pay and prospects of the officers of all departments will be considered and all grievances will be removed. Therefore I would request the members of the Council not to press the question at this time because, as I have already said, there is this difficulty and also because there is the other difficulty that at the present time we cannot incur any additional recurring expenditure. On these grounds I request the movers to withdraw their motions.

The motion of Rai Bahadur Keshab Chandra Banerji was then put and lost.

The motion of Khan Bahadur Maulvi Azizul Haque was then, by leave of the Council, withdrawn.

Kazi EMDADUL HOQUE: Sir, I beg to move that the demand of Rs. 20,21,000 under the head "9B.—Registration—District charges" be reduced by Re. 1 (not providing the sub-registrars' offices with buildings of their own).

Sir, the Registration Department plays an important part in the administration of the country. Sir, in fact a large amount of revenue is derived from the Registration Department. Yet the Government is callous in respect of some matters connected with the department which require immediate attention. Sir, I have seen with my own eyes some of the sub-registrars' offices in Rangpur, and I do not know whether that state of things prevail everywhere, but in my district the sub-registrars' offices are located in rented houses and those houses are miserable beyond description. The houses are made of slanting bamboos with straw roofs and often kept erect by slanting bamboo props. It is really a disgrace on the part of Government that they should allow their offices to be located in such rented houses. The sub-registrars cry themselves hoarse for repairs to be done to the houses, but the owners turn a deaf ear to their request, because they know there are no other houses big enough to accommodate sub-registrars' offices available in those areas. They do not pay any heed to the request of the sub-registrars. They know very well that as there are no houses available in those areas, they would get their rents all right even if they do not do the necessary repairs.

Sir, I happened to be in some of the sub-registry offices in connection with the registration of certain documents relating to local board affairs, in my capacity as a chairman of a local board and otherwise and I saw that the houses are not only in a miserable condition but that the racks and shelves on which records are kept are in a disgraceful condition. These should be improved at once, otherwise the records might be damaged. There are also white ants in my part of the country and the records are almost eaten up by them and still no care is taken. The sub-registrars are in a helpless position to stop this. It is time therefore that Government should have their own houses instead of hiring houses for sub-registrars. I find, Sir, that when the sub-registrars are on leave or otherwise absent a Deputy Magistrate or the local Subdivisional Officer or the second officer remains in charge of the sub-registry office. It is necessary therefore that these sub-registry offices should be built very near the Court compound, and, if it is possible, by extension of the Court house; or if that be not possible, by erecting separate houses very close to the Courts.

With these few observations I commend my motion to the acceptance of the House.

The Hon'ble Mr. KHWAJA NAZIMUDDIN: Sir, a complaint has been made by Kazi Emdadul Hoque about the nature of the buildings

in which the sub-registrars' offices are located, and I must admit that it is to a large extent correct. We are very much concerned about this matter. The sub-registry offices are located in buildings which are really in very bad conditions and consequently the sub-registrars are put to a great deal of inconvenience. But our trouble is that it is very difficult to get suitable buildings in the mufassal, especially in distant villages. It is also true that the owners of these rented buildings, realising that no other suitable buildings are available in the localities, do not pay attention to our demands for repair. The only other possible solution of the question is to have a building programme of our own, and we have not been absolutely neglectful about this. We have obtained administrative approval to 67 schemes, but unfortunately owing to financial stringency it has not been possible to find funds for them in the budget. At present I am thinking of another scheme. I do not know whether it is possible or not, but I have asked my department to examine it. What I intend to do is to ask some well-to-do persons in the villages to build houses which we may take on long leases and on reasonable terms. I think the investment which these persons will make will bring them a good return for a certain number of years. At the same time this will obviate the necessity of Government incurring any capital cost but will get decent accommodations for the sub-registry offices. I fully realise that the present condition is very unsatisfactory and I also agree with the remarks made by Mr. Narendra Kumar Basu that we have no other excuse than financial stringency. We are repeating it always, but we are only repeating what is true and the only reason for our not being able to tackle the problem.

The motion of Kazi Emdadul Hoque was then, by leave of the Council, withdrawn.

Mr. PRESIDENT: We shall have one discussion on motions Nos. 152 to 155.

4-15 p.m.

Mr. MUKUNDA BEHARY MULLICK: I beg to move that the demand of Rs. 20,21,000 under the head "9B.—District charges" be reduced by Re. 1 (want of any proper provision for the appointment of candidates belonging to the backward classes either as sub-registrars or as clerks in their offices).

Sir, my desire in bringing forward a motion of this kind is to draw the attention of Government to the want of any proper provision for the appointment of the candidates belonging to the backward classes

as sub-registrars or as clerks in their offices. I hope, Sir, I shall not be wrong if I maintain that the demand underlying this simple motion is only fair. At the outset I must make my position clear in that I do not lay any claim on the ground of percentage in population nor do I say this on behalf of any and every candidate of these classes in general; but I am pressing my claim for those of our candidates who are qualified under the rules laid down by Government. And I maintain the same position as I did yesterday in connection with my motion under the Excise Department. Our grievances are that even when our candidates are qualified under the rules, their claims are superseded for reasons best known to the authorities concerned. You will be pleased to remember, Sir, when I brought forward a motion under this head last year, I had occasion to refer to the assurances that we had from time to time from the Provincial Heads in reply to our deputations with regard to these and other matters. But it is painful to find that these utterances have still been followed more in their breaches than in their observances. You will find, Sir, that there are at the present moment about 500 officers as sub-registrars in the whole cadre with about 1,200 clerks. But it is our misfortune to find that there are less than one dozen of our candidates in the whole cadre. The number of clerks is equally deplorable.

You know, Sir, that many of these registration offices are located in the interior of the mufassal where, perhaps, people born and brought up under similar conditions would prove well in working in these offices—at any rate they would do much better than many who are absolutely unsuited to these conditions. But, Sir, it appears that it has not been the intention of the department to do so as yet.

Our next grievance is that though in some cases these candidates are much superior in qualifications, their claims are superseded by less qualified ones to our utter surprise. You will remember, Sir, that only year before last, that is in 1929, there were 29 appointments made in this department as sub-registrars. I know that there were at least half a dozen of qualified candidates of ours nominated by the district authorities and only one appointment fell to the share of these unfortunate people. And when I tabled a question last year regarding this, the Hon'ble Minister was good enough to say that of the 29 appointments made then, 11 were undergraduates. I asked a supplementary question if the Government considered graduates even less qualified for appointment as sub-registrars and the reply supplied to the Hon'ble Minister by his Secretary was that it depended upon other considerations. And when a further question was asked as to what those other considerations were, there was no answer and it was said that it could not be answered offhand. We know and feel what those other considerations are. We cannot give expression to the same, but we can only express our regret at the courses adopted.

I must, however, in this connection thank the Hon'ble Minister for his just consideration in the last selection he made. But then, Sir, my point is, as I only press my claims on behalf of those qualified under the rules, that fairness and justice tempered with sympathy would demand that other things being equal preference should be given to one whose claims are hitherto overlooked. If Government really desire this, then I suggest that definite instructions in this line should be given to all nominating authorities; otherwise it will only remain a pious wish of the Government. And I draw the special attention of the Hon'ble Minister in charge of the department to deal with the matter in its proper and true spirit.

With these few words, Sir, I commend my motion to the acceptance of the House.

Maulvi SYED JALALUDDIN HASHEMY: I rise to give my wholehearted support to this motion, because I think it is quite legitimate. I do not know what is the standard of educational qualifications that is prescribed by Government for candidates of sub-registrarship. Must they be graduates of the Calcutta University? If it is, this seems to be unnecessary. If it is I.A., it is also equally unnecessary. I think that anybody can be a sub-registrar if he knows a little bit of English and Bengali. We are tired of graduates, M.A.'s and B.A.'s and the like. A graduate sub-registrar goes to a village sub-registry office full of ambition, but these ambitions cannot be fulfilled in a sub-registry office located in the furthest corner of a village. He does not find anything to amuse himself in a village—no cinema—no theatre—no library—no newspaper. His life becomes monotonous and naturally his temperament becomes choleric and his treatment towards the people turns indifferent. I suggest that the maximum qualification for these sub-registrars should be Matriculation, because I consider that this is quite enough for a sub-registrar. In that case there would be no question of any grievance against the higher classes because of their treatment towards the depressed classes regarding services. I, therefore, suggest to the Hon'ble Minister that he will do his best to do away with taking B.A.'s and M.A.'s as sub-registrars. The question of efficiency cannot arise because it does not require so many qualifications to be a sub-registrar, because he has no other duty but to read and put a signature on documents beginning with "*Kashya kabuliyati patramidong karjanchaga.*"

Rai Bahadur KESHAB CHANDRA BANERJI: I fully associate myself with the hon'ble mover of this motion and Mr. Jalaluddin Hashemy. With reference to an answer given to a question put by an hon'ble member in this House, it might seem that not much has been done in the way of giving practical effect to the desire which the Hon'ble

Minister has expressed with regard to the improvement of the backward classes. The number which has recently been appointed is very unsatisfactory. I do not know how many candidates have been recruited from among the depressed classes in the various departments in charge of the Hon'ble Minister, *viz.*, Registration, Education and other departments. Even in this department the number of men recruited from the depressed classes is very poor. I hope that the Hon'ble Minister will take into consideration the just and legitimate claims of the depressed classes in this province. With these words, I support the motion.

Mr. SHANTI SEKHARESWAR RAY: I gladly support this proposal if Government is pleased to make the definition of the backward and depressed classes a little more comprehensive, so as to include *agradhani* Brahmins among the depressed classes. If this alteration is made in the rules I have no objection.

Dr. NARESH CHANDRA SEN GUPTA: I shall have no difficulty in accepting the suggestion made by my friend Mr. Mullick, other things being equal, to the depressed classes being appointed, because other things cannot possibly be equal. There are many things included in the other things, not only educational qualifications but also some other things.

Mr. NARENDRA KUMAR BASU: I rise to give my wholehearted support to the motion of Mr. Mullick. I think we have had enough of lip sympathy with the depressed classes from the Government benches. What we want is more practical help. Mr. Mullick has assured the House that there is no dearth of qualified candidates among the depressed classes, and that therefore there is no question of any concessions to them. If under the rules there are qualified candidates from amongst the depressed classes I repeat Government ought to show more than lip sympathy and evince practical sympathy with this class of people and, if necessary, give them more appointments than they might be numerically entitled to.

Maulvi ABUL KASEM: We have been told by Mr. Basu that he would give his wholehearted support to Mr. Mullick's motion if he could be shown that there were qualified candidates. By qualified candidates I mean educational qualifications and not qualifications to which Mr. Shanti Sekhareswar Ray refers. I think, Sir, that if the number of qualified candidates in this community is small to-day it is due to the fact that their qualified candidates have not received that real sympathy which they deserve from the authorities and if a chance is given, I am sure, they will be able to produce, as a matter of fact, as many well qualified candidates as any other community.

Babu JITENDRALAL BANNERJEE: I am glad to see that so much sympathy is shown for the depressed classes but I am sorry to have to strike a jarring note in the discussion. The reasons given by Mr. Jalaluddin Hashemy have, at least, the merit of novelty. He has said that, if we have well-educated men as officers, they are sure to treat people badly, but if we have officers badly educated, they are sure to treat the people well. It is rather a queer line of argument to say that men from higher class are sure to have bad manners, while men from the lower and depressed classes are sure to have genial and sympathetic manners. The experience of the world would seem to be otherwise; but in any case, this argument has the merit of novelty, whether it is logical or not. Sir, it has become a sort of fashion with many people to decry educational qualifications on any and every occasion. I do not wish to stand up for a mere university or college career irrespective of anything else. But education certainly is no disqualification; *prima facie* it is proof of some sort of merit; and why should you penalize it in the supposed interest of this class or that class? You may show as much sympathy for the depressed classes as you will; but why should you show it at the cost of the tax-payer and the general public? If you produce qualified men, certainly their qualifications are bound to be taken into consideration; but so long as you do not produce qualified men, how can you possibly ask Government to be indulgent and liberal in the matter of giving appointments to the depressed classes at the cost of the rest of the community? What case can you make out for protecting the interests of a class or community at the cost of the efficiency of the public services?

Khan Bahadur Maulvi AZIZUL HAQUE: Babu Jitendralal Bannerjee has introduced a jarring note into the discussion, and has put forth arguments which are not fair. My idea is that if multiplicity of educational qualifications are to be the criterion of selection, then I am afraid it will be impossible for anybody except those with superfluity of degrees to get these appointments. In public services it is necessary to fix the minimum educational qualifications. Subject to that and if the minimum educational qualifications are complied with, those who had no opportunity should be given an opportunity. In the last 150 years caste gentlemen have had the monopoly of appointments because of their educational qualification; I do not complain. But to-day the situation is changed. If educational qualifications only are to be the sole standard, you will find all communities sending in fully qualified candidates; the depressed and backward classes ought to be given more than what they have got; and if they can put forward properly qualified candidates, they have got a right to come to the forefront and take part in the public life. I have every sympathy with the depressed classes. If you will give them a little more than they have been given

in the past, you will find that they will make every effort to qualify themselves. I am sorry to find that a certain amount of levity has been introduced into this discussion.

4-30 p.m.

Mr. P. N. GUHA: Sir, the members of the depressed classes are extremely anxious to get a certain percentage of the public service and I find that Khan Bahadur Azizul Haque is very sympathetic towards them, but he has conveniently forgotten that by claiming 55 per cent. of the Government appointments (question) his own community is out to secure the lion's share. Anyway it appears that there is a regular crusade against us, the high caste Hindus, and that is a contingency we must be very careful of. Sir, what is backward class? Does it not indicate that its members are backward in education? The question of untouchability does not arise even if they are backward in education, for we do not consider the Mussalmans untouchables. Now, Sir, so far as the Government service is concerned, I think the only question that has to be borne in mind is the question of fitness. Education had always been and is even now available to all and if we, the high class Hindus, have been able to come to the front by taking advantage of the education, we have certainly committed no crime. Is there any reason why we should now be asked to go back? Sir, I think the only criterion for the public services should be education and he who has been equipped educationally should be taken into the service, be he a Hindu or Mussalman; a Brahmin or a Namasudra (Question!). Push us aside if you can by open and legitimate means. Mr. Mukunda Behary Mullick has been claiming privileges for backward classes. I do not know whom he considers backward. If by backward class he means Namasudras, he will certainly find in a few years' time Domes, Methars, Bugdis and others coming forward and they will tell the Namasudras: "You have gone far enough; now stop, for we can no longer be left behind." I therefore strongly urge that no communal consideration should be shown in the Government services. All posts should be thrown open to competitive examination and let only those who secure high places, be appointed.

Mr. K. C. RAY CHAUDHURI: Mr. Guha has tried to side-track the real issue, *viz.*, the qualification of candidates for appointment in the Registration Department. I say from my personal experience that there are about hundred graduates belonging to the depressed class and their claims were put before the Inspector-General of Registration and the Hon'ble Minister, but on each occasion they were referred to the Conference of Divisional Commissioners and Magistrates. Unfortunately on account of some back door or other influence the claims of the

depressed classes were overlooked by these Conferences who recommend candidates for appointment and we had to appeal to the Hon'ble Minister to use his prerogative. I suggest that Government should take definite steps so that certain number of the appointments should go to the depressed classes.

Maulvi TAMIZUDDIN KHAN: Sir, I had no desire to join in this debate at all, but I am compelled to say a few words, because my friend Mr. P. N. Guha seems to have propounded a new principle of distribution of appointments to the various communities. (A VOICE: Do not take him seriously.) It is specially regrettable because both the Government and the people of this country are now trying to create an atmosphere in which communal tension may decrease. I think the exhibition of mentality like what has been shown by my friend is not calculated to decrease the tension that unfortunately exists in the country. In making appointments in the public services Government is trying to follow a very salutary principle. That principle is that there should be no monopoly in the services, there should be no preponderance of any class in the public services. Nobody has said in this House that educational qualification should be disregarded. But there may be many other things which must be taken into consideration. If a man has got the requisite minimum qualification he is competent to carry on the functions of his post. Appointments may therefore fairly and equitably be distributed to all the communities, without impairing efficiency. If all appointments are filled up by competitive examination, it may be convenient for a particular class, and I hope Mr. Guha will think over the matter whether that would be good for the country as a whole. I should like to point out that the backward classes should have a proper share in the public services if they possess the minimum requisite qualification.

The Hon'ble Mr. KHWAJA NAZIMUDDIN: It is very gratifying to find that this motion has a strong support from many members of this House. Government have been asked to show practical sympathy and not to confine themselves to rules. I can only be held responsible for the period I have been in office and for the appointments that have been made during that period. As I pointed out last year, the 1929 appointments were not made by me although they appeared in the Gazette in my name. They were made before I took over charge. Last year I promised that the claims of the depressed classes will be fully considered. Out of the six non-Moslem appointments that were made in 1930 one Namasudra candidate from Pabna, one Mahishya candidate—a backward class—and a third one from another backward class were appointed. So it will be seen that out of the six appointments made in 1930, one went to the depressed class and two to the backward class. Well, this is a practical proof of the promise made

by me in 1929. The departmental orders on the subject are that in making nominations, special attention should also be paid to the claims of candidates belonging to the backward classes as enumerated on page 189, volume I of the Report of the Calcutta University Commission, and to the Anglo-Indian, Indian Christian and Buddhist communities and other minorities. This year I drew the special attention of the district officers to the above rule before making appointments and I can assure the members of the depressed and backward classes that as long as I am in office I shall see that their claims are not overlooked and that they get a fair and reasonable share of the appointments in the Registration Department.

The motion of Mr. Mukunda Behary Mullick was then put and a division taken with the following result:—

AYES.

Ali, Maulvi Hassan.
Bai, Babu Lalit Kumar.
Bai, Mr. Sarat Chandra.
Banerji, Rai Bahadur Keshab Chandra.
Barma, Rai Bahib Panchanan.
Basu, Mr. Narendra Kumar.
Chaudhuri, Babu Kishori Mahan.
Chaudhuri, Maulvi Syed Osman Haider.
Choudhury, Maulvi Nural Absar.
Chowdhury, Maulvi Abdul Ghani.
Dutt, Rai Bahadur Dr. Haridhan.
Haque, Khan Bahadur Maulvi Azizul.
Hashemy, Maulvi Syed Jalaluddin.
Hoque, Kazi Emdadul.
Hosain, Nawab Musharruf, Khan Bahadur.
Kasem, Maulvi Abul.
Mullick, Mr. Mukunda Behary.
Rahman, Mr. A. F.
Raikat, Mr. Prosanna Deb.
Ray, Babu Nagendra Narayan.
Ray, Mr. Shanti Shekhareswar.
Reut, Babu Hoseni.
Roy Choudhuri, Babu Hem Chandra.
Sarker, Rai Bahib Rebati Mohan.
Sen Gupta, Dr. Naresh Chandra.
Solaiman, Maulvi Muhammad.

NOES.

Blandy, Mr. E. N.
Bural, Babu Gokul Chand.
Chaudhuri, Dr. Jogendra Chandra.
Chaudhuri, Khan Bahadur Maulvi Hafizur Rahman.
Cohen, Mr. D. J.
Coppinger, Major-General W. V.
Cooper, Mr. C. C.
Dain, Mr. G. R.
Das, Babu Satyendra Kumar.
Dash, Mr. A. J.
Eassen, Mr. G. A.
Farequi, the Hon'ble Khan Bahadur K. G. M.
Faweus, Mr. L. R.
Gangali, Rai Bahadur Susil Kumar.
Ghaznavi, the Hon'ble Alhadj Sir Abdelkerim.
Gilchrist, Mr. R. N.
Goenka, Rai Bahadur Badridas.
Guha, Babu Prafulla Kumar.
Guha, Mr. P. N.
Garner, Mr. C. W.
Hutchings, Mr. R. H.
Khan, Khan Sahib Maulvi Muazzam Ali.
Khan, Mr. Razaur Rahman.
Luke, Mr. N. R.
Marr, the Hon'ble Mr. A.
McCluskie, Mr. E. T.
Mitter, the Hon'ble Sir Pravash Chunder.
Mukhopadhaya, Rai Sahib Sarat Chandra.
Nag, Babu Suk Lal.
Nag, Mr. K. C.
Nag, Reverend B. A.
Nazimuddin, the Hon'ble Mr. Khwaja.
Philpot, Mr. H. C. V.
Prentice, the Hon'ble Mr. W. D. R.
Raheem, Mr. A.
Rahman, Mr. A. F. M. Abdur-
Roy, Babu Jitendra Nath.
Ray, Mr. Saileswar Singh.
Ray, the Hon'ble Mr. Bijoy Prasad Singh.
Saadatullah, Maulvi Muhammad.
Stapleton, Mr. H. E.
Sumner, Mr. C. R.
Thompson, Mr. W. N.
Travers, Mr. W. L.

The Ayes being 26 and the Noes 44 the motion was lost.

[At 4-45 p.m. the Council was adjourned for prayer and it reassembled at 5 p.m.]

The following motion was called but not moved:—

Rai Bahadur SATISH CHANDRA MUKHERJI: "That the demand of Rs. 21,05,000 under the head '9.—Registration' be reduced by Rs. 1,05,000."

Maulvi TAMIZUDDIN KHAN: I beg to move that the demand of Rs. 21,05,000 under the head "9.—Registration" be reduced by Rs. 1,000 (to draw attention to the necessity of amending the Muhammadan Marriage Registration Act with a view to fix the realisations made by marriage registrars by way of *nazar*).

My object is to draw the attention of the House to the necessity of amending the Muhammadan Marriage Registration Act, under which Muhammadan marriages can be registered. The registration of marriages is not compulsory but optional. Members of this House are probably aware that certain officers known as Muhammadan marriage registrars are appointed for the purpose of registering Muslim marriages. These marriage registrars do not draw any fixed salary but they get certain fees from the parties who come to register marriages or divorces. They only get a statutory fee of Re. 1 per case and there is also a provision in the Act that they can accept *nazar* from the parties. As far as this provision for *nazar* is concerned, it has been utilised in a manner which is very extremely undesirable. On account of this provision very often the parties are subjected to a great deal of oppression, because marriage registrars who are not very scrupulous make a good deal of exaction from the parties. I tabled a similar motion last year and since then the Hon'ble Minister has taken some action. I do not know how far the matter has proceeded up till now. If I find that the department is taking action which is satisfactory, it will not be necessary for me to press the motion to vote, but if the Government have given up their proposal to amend the Act, I think it is high time for the House to consider whether such a provision should be allowed to stand in the statute book which permits marriage registrars who are not strictly honest to oppress poor people and extort money from them by questionable means. With these words I move my motion.

The following motion was called but not moved:—

Mr. SARAT CHANDRA BAL: "That the demand of Rs. 21,05,000 under the head '9.—Registration' be reduced by Rs. 100 (policy with reference to the backward classes)."

Maulvi ABDUL HAMID SHAH: I beg to move that the demand of Rs. 21,05,000 under the head "9.—Registration" be reduced by Rs. 100 (for introducing salary system for Muhammadan Marriage Registrars and Kazis).

(He spoke in Bengali in support of his motion.)

The Hon'ble Mr. KHWAJA NAZIMUDDIN: I shall be very brief because there is no time. I am very glad to inform the House that we have decided to amend the Muhammadan Marriage Registration Act and it will come to the Legislative Department very soon for drafting an amending Bill which I hope to introduce into the Council next session. It will, I hope, contain provisions to remove the objection raised by Maulvi Tamizuddin Khan. But I regret to say that I do not agree with Maulvi Abdul Hamid Shah to make Muhammadan marriage registrars Government servants on a fixed salary. The reason for that is that the registration of marriages is voluntary and the idea is that marriage registrars should induce people to come and have their marriages registered. Such registration is not compulsory and if we give them a fixed salary, they would lose all incentive for inducing people to register their marriages and the result would be that whatever income a marriage registrar receives now in the shape of voluntary fees will immediately go down and Government will have to pay the entire cost of maintaining this service without an adequate return in the shape of fees as now. In the present financial stringency, it is impossible to conceive that we can make this service a Government service. Therefore I hope that in view of the reasons I have given Shah Sahib will not press his motion.

5-15 p.m.

The motion of Maulvi Tamizuddin Khan was then, by leave of the Council, withdrawn.

The motion of Maulvi Abdul Hamid Shah was then, by leave of the Council, withdrawn.

The following motions were called but not moved:—

Maulvi NUR RAHMAN KHAN EUSUFJI: "That the demand of Rs. 21,05,000 under the head '9.—Registration' be reduced by Rs. 100 (to urge the necessity of amending the Muhammadan Marriage Registration Act)."

Maulvi SYED JALALUDDIN HASHEMY: "That the demand of Rs. 21,05,000 under the head '9.—Registration' be reduced by Rs. 100 (general policy and administration—particularly increase in registration fees)."

Babu SATISH CHANDRA RAY CHOWDHURY: "That the demand of Rs. 21,05,000 under the head '9.—Registration' be reduced

by Rs. 10 (to raise a discussion as to hardships on parties caused by the raising of searching fees in particular and the charges of registration of documents generally)."

Maulvi ABDUL HAKIM: I beg to move that the demand of Rs. 21,05,000 under the head "9.—Registration" be reduced by Re. 1 (abnormal fall of the registration revenue and realisation of exorbitant fees for taking copies of registered documents as well as fees for the registration of documents).

Sir, as far as I can understand————

(Here the time-limit under the head "9 —Registration" having been reached the member resumed his seat.)

The motion that a sum of Rs. 21,05,000 be granted for expenditure under the head "9.—Registration" was then put and agreed to.

The time-limit having been reached the following motions under the head "9.—Registration" were not called:—

MUNINDRA DEB RAI MAHASAI: "That the demand of Rs. 21,05,000 under the head '9.—Registration' be reduced by Rs. 10 (policy and general administration of the department drawing attention to the fact that the remuneration of extra copyists of the Calcutta Registration Office is diminishing gradually, and that many of them have not been made permanent)."

MUNINDRA DEB RAI MAHASAI: "That the demand of Rs. 21,05,000 under the head '9.—Registration' be reduced by Rs. 5 (prevailing discontent in the Registration Department regarding pay and prospects of officers, gazetted and non-gazetted)."

MUNINDRA DEB RAI MAHASAI: "That the demand of Rs. 21,05,000 under the head '9.—Registration' be reduced by Rs. 4 (to draw attention to the fact that the permanent copyists and clerks of the Calcutta Registration Office submitted a memorial to Government, dated 8th October, 1928, which has not been considered)."

Haji BADI AHMED CHOWDHURY: "That the demand of Rs. 21,05,000 under the head '9.—Registration' be reduced by Re. 1 (increase of registration fee and difficulty of ordinary men to register)."

Maulvi ABDUL HAMID SHAH: "That the demand of Rs. 21,05,000 under the head '9.—Registration' be reduced by Re. 1 (necessity for building rest-houses for women attending for registration)."

Maulvi NUR RAHMAN KHAN EUSUFJI: "That the demand of Rs. 21,05,000 under the head '9.—Registration' be reduced by Re. 1 (to draw attention to the necessity of posting able and experienced senior sub-registrars at the subdivisional headquarters with a view to giving them powers to hear registration appeals)."

Maulvi MUHAMMAD FAZLULLAH: "That the demand of Rs. 21,05,000 under the head '9.—Registration' be reduced by Re. 1 (to criticise the policy of Government in recruiting inefficient sub-registrars)."

9A.—Scheduled taxes.

The Hon'ble Mr. A. MARR: Sir, on the recommendation of His Excellency the Governor, I beg to move that a sum of Rs. 16,000 be granted for expenditure under the head "9A.—Scheduled taxes." The details of this demand will be found on page 72 of the Budget Estimate and on page 37 of the Financial Statement. The main item of the demand is the payment of Rs. 15,000 which we make to the Royal Calcutta Turf Club for the collection of the betting tax from bookmakers and from the totalisators. In addition to this, we have had to provide Rs. 600 as the cost of printing entertainment tax stamps by the Security Press at Nasik.

MUNINDRA DEB RAI MAHASAI: I beg to move that the demand of Rs. 16,000 under the head "9A.—Scheduled Taxes" be reduced by Rs. 15,999-8.

I also beg to move that the demand of Rs. 16,000 under the head "9A.—Scheduled Taxes" be reduced by Rs. 100 (policy involved in the betting tax collection).

Sir, this pernicious vice of horse-racing is of British import and was never known in this country before. It is they who are directly responsible for the introduction of this vicious habit. Sir, in the course of my speech yesterday, I alluded to the excise revenue as derived from immoral sources. I should like to repeat the same thing with regard to

the revenue derived from gambling in the race courses and the expenditure asked for realising it also bears the taint of immorality. Racing may be a form of amusement to the Europeans, but it is the direct cause of the ruination of the middle classes in Bengal. Sir, this legalised vice has really caused the ruin of many a happy family in and around Calcutta. I know of several people with whom the racing habit has become a second nature. It is unfortunate that even *zenana* ladies of some good families in Calcutta have imbibed the racing habit and if money be not forthcoming on the racing days, they would not hesitate to pledge their ornaments for going to the races. Sir, under the Indian Penal Code every form of betting or gambling is a crime, but I do not understand why horse-racing should not be classified as such. Is it because the Europeans are fond of it that it has been excluded from the category of crimes? My European friends can very well afford to participate in the betting of horses as they have got enough and to spare in such frivolous luxuries, but poor Bengalees are the unfortunate victims of the betting habit. One may ask then why do they go to the race grounds if they cannot bear the blunt of the blow? To this my reply would be—the temptation of sudden gain to become rich in a few hours like Alibaba of the Arabian Nights naturally catches the fancy of the majority of the people. It becomes difficult with them to resist the temptation. Pray do not tempt the people and help to plunge them headlong into the gulf of ruin. Is it not the duty of the Government, I ask, to discourage and penalise betting and horse-racing and thereby save the people from inevitable ruin?

Khan Bahadur Maulvi AZIZUL HAQUE: On a point of order, Sir. Does my friend mean that if the scheduled taxes are refused, horse-racing will cease?

Mr. B. C. CHATTERJEE: On a point of order, Sir. Do amendments lead to taxes or to horse-racing?

Mr. PRESIDENT: These are not points of order but nevertheless very amusing. (Laughter.)

Dr. HARESH CHANDRA SEN GUPTA: I do not want to speak except for the purpose of putting a few straight questions to the Hon'ble Mr. Marr. I know that the tax does not encourage racing or betting at the races. The tax wants to make an income out of the racing. The question that I want to ask is: Whether the Hon'ble Mr. Marr realises the tremendous amount of mischief which betting at the races

is doing and whether if he realises it? Is it his intention or the intention of Government to take any steps about it? These are straight questions which I am asking and I hope I shall receive straight answers to them.

The Hon'ble Mr. A. MARR: Sir, I may at once say that people who go to the races and gamble beyond their means certainly harm themselves. But there are also people who go to the races to enjoy themselves and bet because they can afford to do it. It would be unfair to penalise the one because the other bets beyond his means. It has been argued that the introduction of this tax has given rise to the practice of betting on horse-races. Every one knows that gambling and betting on race courses have been going on for very many years here in Calcutta and elsewhere long before this tax was introduced. We saw a chance of raising money for provincial funds by putting on a tax and, instead of encouraging betting, this tax has definitely discouraged it. Ever since the tax was introduced, we have noticed a steady decrease in the figures of receipts both from bookmakers and totalisators not only in Calcutta but elsewhere. Therefore, I hope that Dr. Sen Gupta and Rai Mahasai will support me in continuing this tax.

The motions of Munindra Deb Rai Mahasai were then put and lost.

The motion that a sum of Rs. 16,000 be granted for expenditure under the head "9A.—Scheduled Taxes" was then put and agreed to.

XIII, 15, 15 (1), 16 and 55.—Irrigation.

The Hon'ble Mr. A. MARR: In the absence of the Hon'ble Alhadj Sir Abdelkerim Ghuznavi, and on the recommendation of His Excellency the Governor, I beg to move that a sum of Rs. 44,83,000 be granted for expenditure under the heads "XIII.—Irrigation—Working expenses," "15.—Other revenue expenditure financed from ordinary revenue," "15 (1).—Other revenue expenditure financed from famine relief grants," "16.—Construction of Irrigation, Navigation, Embankment and Drainage Works financed from ordinary revenue" and "55.—Construction of Irrigation, Navigation, Embankment and Drainage Works not charged to revenue."

Khan Bahadur Maulvi AZIZUL HAQUE: I beg to move that the demand of Rs. 10,98,000 under the head "15.—Irrigation—Other revenue expenditure financed from ordinary revenue" be reduced by Rs. 1,000 (to draw attention to the failure of the department to tackle the two outstanding irrigation problems of Bengal, *viz.*, water-hyacinth and the dead and dying rivers).

Sir, at the very outset I may congratulate the Hon'ble Alhadj Sir Abdelkerim Ghuznavi, Member in charge of the Irrigation Department, for being more responsive to popular voice in the Department of Irrigation. We were accustomed in the past to a department which was governed by the greatest Delta Engineer in the world and we were accustomed to see that whatever the people wanted the Delta Engineer had different views about it. Sir, I was tempted to include another item in the reasons given by me for moving this motion and that in addition to the two outstanding problems mentioned in my amendment I was tempted to put another problem, namely, the problem of Mr. Addams-Williams. Fortunately just before the Budget the problem ceased to trouble us. I congratulate Bengal that Mr. Addams-Williams has left for good and I certainly congratulate the Hon'ble Member-in-charge for saving Bengal from more expenditure on account of this gentleman.

5-30 p.m.

Sir, under Mr. Addams-Williams's regime, whatever the people considered to be good for themselves, was opposed by Government. I think it is perfectly well known to the Hon'ble Member in charge of the Irrigation Department with what difficulty two very important projects, *viz.*, the Sirajganj Protective Scheme and the Noakhali Protective Scheme were taken up much against the wishes of the department. Sir, a change in the mentality of the department should be brought about, so that it may be a little more responsive to public opinion. I personally, Sir, had been a member of the Standing Irrigation Committee for two years, but when a man like Hon'ble Sir Ghuznavi was unable to bring Sir William Wilcocks and Mr. Addams-Williams together and get them to reconcile their respective views, there was no hope for a lesser fry like myself. I remember, Sir, that the Hon'ble Member in charge of the Irrigation Department in a meeting of the Standing Committee expressed the view that the points raised by Sir William Wilcocks will be carefully considered by Mr. Addams-Williams, who would give his opinion thereon subsequently. I want to know what has been done in regard to the points raised by Sir William Wilcocks. I submit, Sir, that with the departure of Mr. Addams-Williams, the time has come for a thorough reorganisation of the department; the time has come when stocks should be taken to see what improvements can be made for the future.

Now, Sir, I want to draw the attention of the House to two outstanding problems concerning both Eastern and Western Bengal. If one goes to the Eastern Bengal districts he would realise that Eastern Bengal, which was once considered to be the granary of Bengal, is on the verge of ruin on account of the havocs wrought by the water-hyacinth

pest. Sir, I do not want to make any suggestion for tackling the problem, but when the Hon'ble Member was the Minister in charge of the Agriculture Department he discussed this matter from various points of view, but nothing has been done since he left the department. Now that he is in charge of the Irrigation Department, I hope he will take it up as an irrigation project. Navigation has become very difficult, and any one going to Dacca from Narayanganj will find that the steamers pass with great difficulty. Unless steps are taken at once to eradicate this evil, most of the river channels in Eastern Bengal will be completely choked up. The problem is the same in my district as well as in the neighbouring districts.

Then, Sir, as regards the dying and dead rivers, I submit that unless Government tackles the problem, a solution is not possible. It is still possible to resuscitate the dying rivers during the rainy season by clearing the weeds in the channels, and by opening up fresh channels, which was originally the idea of Dr. Bentley.

I have moved my motion with a view to drawing the attention of the Hon'ble Member-in-charge to the importance of tackling these two outstanding problems. Now that he has got respite from the task of fighting his own expert advisers, I hope he will take up the matters in right earnest.

Sir, on a perusal of the Irrigation budget, one would find that a large amount of money is spent on establishment. The outstanding fact remains that the establishment charges are becoming more and more heavy as years are going by and it is certainly time to consider whether the establishment charges should not be reduced, consistent with economy and better work of the department.

The Hon'ble Alhadj Sir ABDELKERIM CHUZNAVI: Sir, I very much regret that I was not here to move the motion which was put down in my name, and so I could not avail myself of the opportunity to explain to the members of this House the various activities of the department. In that event, Sir, perhaps Khan Bahadur Azizul Haque would not have found it necessary to move his motion, but since he has spoken, I think it right that I should refer to the two points which he has brought forward.

Sir, at the outset he was good enough to offer his congratulations to me on the fact that a particular officer of Government is no longer in the department. Sir, congratulations are always welcome, as they tend to create a calm atmosphere and recently we have been hearing a good deal of the benefits of such an atmosphere, and as such I should like to thank the hon'ble member for his congratulations. But I may point out to him that this particular officer, Mr. Addams-Williams, has done his very best to the department. He has devoted the best portion of his

life to the service of this country. He had thoroughly studied all the important questions concerning the department during the time he was here. I do not claim that he was infallible and mistakes are apt to be committed by us all and after all to err is human but to forgive divine.

Sir, the two points to which my friend has referred deserve special attention, namely, the water-hyacinth problem and the dead and dying rivers of Bengal. I can assure the members of this House that there is no one who feels more strongly than I do that these two important problems should be tackled as quickly as possible.

With your permission, Sir, I should like to give a brief history of the water-hyacinth problem since 1924. When I was appointed a Minister in that year, I was in charge of the portfolio of Agriculture and Industries and it was the function of that department to deal with this question. At that time we heard of a wonderful spray which, it was claimed, was the only remedy for eradicating this pest. It was decided to buy from Mr. Griffiths all the rights of his spray for a large sum of money. At that psychological moment I came on the scene; and I wanted that a conclusive experiment should first be made with this spray to test its merits, before spending so much money from the public revenues in buying it over. On payment of a very small amount of money we were able to obtain his permission to experiment with it. After experimenting for seven or eight months, it was found that it did not possess any of the virtues which were claimed for it: and the spray was dropped. In the meantime, the Ministry was wrecked.

When I formed my second Ministry in 1927, it was my fixed purpose to take up this matter earnestly and seriously and, if possible, to bring about a solution of this problem. After consulting the officers of the department and other experts I decided to call a conference at Dacca, to which I invited officers of the various departments and many gentlemen who took interest in the matter and belonging to various shades of opinion. The members of the Swaraj party and other parties were good enough to join the conference and give me their support. At that conference we came to certain conclusions: certain working plans were drawn up and it was more or less decided that a Bill should be introduced. The Ministry was again overthrown at this stage and the problem remained unsolved. Therefore, Sir, it will be seen that every possible step was taken by me to deal with this matter.

I am, Sir, back here again, although in charge of another department. It is not the function of the Irrigation Department to deal with the water-hyacinth question: it is primarily the function of the Agriculture and Industries Department. But in spite of that, the moment I took over the portfolio of Irrigation I felt that if I could possibly tackle the water-hyacinth problem so far as it was within the purview of

the Irrigation Department, I should not lose that opportunity. Members of this House are aware that a committee of experts was appointed to go into the question of the reorganisation of the Irrigation Department. That committee sat and submitted a valuable report. They advocated the creation of a Waterways Trust, one of the functions of which would be to tackle the water-hyacinth problem. You will see, Sir, that nothing has been wanting on my part to rid Bengal of this pest. No body is more conversant than myself with the difficulties of navigation in the eastern part of the province, from which I come and of which I am very proud, and the havoc that has been brought about by water-hyacinth. I was told, Sir, by Mr. Burrows, the then Collector of Faridpur—a very capable officer—that the "lilac devil" was responsible for causing damage to agriculture alone in that district to the extent of nearly Rs. 40 lakhs annually.

I stated all these facts in order to show that I am fully alive to the situation.

I want to explain something with regard to the current demand. In the first place owing to financial stringency no new work, except improvement of the Lohajang river costing Rs. 11,248 and new surveys at a cost of Rs. 4,000, has been provided in the next year's budget. As regards the former, undertaking had been given in this House that Government would take early steps to clear the bars in the Lohajang river and that undertaking has had to be carried out. As regards the latter, it is miscellaneous survey in connection with the drainage problems of the country and the provision made for it is the normal annual provision which is indispensibly necessary.

As regards works in progress, provision has been made in the next year's budget for completing the Dhutkhali sluice, sectional officers' quarters at Mowa, Balichak and Contai and for clearing outstanding liabilities in connection with the Gobra Nulla project already completed. Completion of the reconstruction of the Manicktolla, Beliaghatta, Narkeldanga, Alipore and Chitpore bridges is of utmost importance. Provision has accordingly been made next year for the Government share of the cost of these bridges. Funds have also been provided to continue the work of reconstructing the Ultadanga bridge and to carry on surveys now in progress.

Under head "55A" provisions have been made next year for continuance of the works in connection with the Damodar and Bakreswar canals. It is expected that the Bakreswar canal will be fully opened for irrigation and the Damodar canal partly opened in 1932. These two works, as I said last year, are being financed by borrowing money from the Provincial Loans Fund.

As for maintenance and repairs, tools and plant and establishment, only such sums have been provided as are absolutely necessary.

I would also say that owing partly to want of funds and partly to paucity of staff, this department cannot at present undertake any new works of public utility of large magnitude. It is for this reason that the Berai irrigation scheme in Bankura, Satkahonia irrigation scheme in Burdwan and the scheme for semi-canalisation of Alaipore khal in Khulna have not been included in the next year's budget. The House is aware that the Irrigation Committee which was appointed by Government submitted its report with recommendations for the improvement of the navigable waterways of the province which are about 20,000 miles in length and concerning the drainage, irrigation and embankment problems whereon the economic life of much of this country largely depends. These waterways in Bengal include what I may call major waterways.

Well, Sir, I should now like to state how far this question of the establishment of a waterways trust has progressed. It will be in the memory of the members of this House that last year when I had the privilege of speaking on the budget I told the House that various public bodies and associations were consulted in the matter and the Irrigation Department was asked to prepare a draft of the Bill after which it would be sent to the Legislative Department. I may also recall the fact that in July last year there was a meeting of the Waterways Standing Committee when I had the privilege of mentioning that after receipt of the criticisms of the various public bodies that have been consulted the consideration of the Bill will be taken up. Government asked for the views of the following commercial and public bodies:—

The Bengal Chamber of Commerce.
The National Chamber of Commerce.
The Indian Chamber of Commerce.
The Narayanganj Chamber of Commerce.
The Chittagong Chamber of Commerce.
The I. G. N. & R. S. N. Co., Ltd.
The Bengal Mahajan Shabha.
The Marwari Chamber of Commerce.
The Marwari Association.
The E. B. Rivers Steam Service, Ltd.
The Calcutta Trades Association.
The Indian Merchants' Association, Chittagong.
The Central National Muhammadan Association.
The Jhikargacha Kapilmoni Steam Company.
The Bengal Assam Steamship Company.
The Calcutta Port Commissioners.
The Calcutta Steam Navigation Company.

The views of important public bodies have been received and the volume of correspondence between Government and all these companies and associations is so great that it must take a considerable time before Government can come to a definite decision on all the details that have been advanced. The various points that have been put forward are mainly in the first place the question of finance and a budget for the waterways trust. Secondly the constitution of the Trust. After all these points are settled the consideration of the details of the Bill will be taken up. From this it will be seen that a large amount of labour is involved in getting the materials ready in order to enable Government to bring forward a Bill. I mention all these things to show that we have been taking the greatest care and every possible measure to advance this work so that there should be something similar to the Calcutta Improvement Trust. What has been done for Calcutta by the Calcutta Improvement Trust will, I hope, be done by this Waterways Trust for the waterways of Bengal.

Now, Sir, certain other points have been raised during the debate, and with your permission I should like to say a few words about them. It was said that nothing had been done in connection with the dredging of the river Dhaleswari and that river training was not receiving sufficient attention of Government. I should like to draw the attention of Mr. Satyendra Nath Das who said this. It is not correct to say that river training round about Dacca was not receiving sufficient attention of Government. For nearly 20 years Government has been taking action in preserving the Dhaleswari and Buriganga channels with a view to keeping navigation along those channels open throughout the year and supplying water to citizens and villagers along the banks. At present even in these days of financial stringency nothing less than, say, Rs. 17,500 is being annually spent for bandalling the shoals in these rivers with the object of scouring them out. Regarding dredging an earnest attempt to dredge the offtake of the Dhaleswari near Porabari was made in the year 1918-19 by employing the biggest dredgers of those times and Rs. 53,004 was spent. It was found that within two or three years this channel totally choked up and did not result in any benefit. Similarly, the Buriganga entrance was dredged more than once. Here too it was found that the river selected a course different from the dredged channel for its offtake. This attempt too was not much of a success. In 1927 the dredger *Alexandra* was employed in dredging the Buriganga and considerable lengths near Sadarghat, Postgola and Pangaon were dredged, the total cost being Rs. 69,039. The Postgola shoal is being dredged once in two or three years and this costs on an average Rs. 3,000 to Rs. 4,000. Besides the above, a comprehensive scheme for dredging the Buriganga and Dhaleswari was prepared for Rs. 14,75,000 but it was not sanctioned having been considered not

technically sound. The real difficulty in these spill rivers is that mechanical dredging alone cannot keep them alive unless one is prepared to spend enormous sums of money over them which can only be afforded with a very rich exchequer and when the results derivable from them are commensurate with the benefits. Even then one must be prepared to repeat these dredgings once in four or five years if the channels are to continue. It is expected that with the formation of the Waterways Trust these rivers will receive all the attention they deserve.

I should like to mention just one or two other matters which were referred to in the speeches of some of the members during the budget discussion, when owing to indifferent health I was unable to attend. I have seen the notes that were taken and just wish to say a few words. Khan Bahadur Maulvi Azizul Haque referred to certain figures which he said he could not understand. If he would kindly see me or the Secretary in our office we should be very pleased to explain to him how all these figures have been obtained and we would be very pleased to spend hours together and be very happy to receive any suggestions that might be put forward.

Khan Bahadur Maulvi AZIZUL HAQUE: In the absence of the Hon'ble Member I handed over a paper to the Hon'ble Mr. Marr suggesting certain changes in the budget.

The Hon'ble Alhadj Sir ABDELKERIM GHUZNAVI: If it is a reasonable request I shall be willing to accept it, but subject to my getting that paper which is not yet before me, I regret I cannot make any promise.

Khan Bahadur Maulvi AZIZUL HAQUE: With your permission, Sir, may I ask the Hon'ble Member one question? I find that a provision of Rs. 31,000 has been made for the establishment charges of the dredgers *Cowley*, *Burdwan*, and *Ronaldshay*, whereas the Dredger Division which is supposed to be in charge of these three dredgers shows an expenditure of over a lakh of rupees on establishment charges. What is it due to?

The Hon'ble Alhadj Sir ABDELKERIM GHUZNAVI: I am quite prepared to answer the question, but if I begin it will take a very long time. So, as I have said if he would come to my office, I should be very glad to give him the information and should be very happy to receive any reasonable suggestion that he might put forward, but if it is for sinking the dredgers in the Bay of Bengal, then that is another matter. (VOICES: We are all in favour of doing so.) Possibly, but I doubt whether it would be wise to imitate the Germans at the Scapaflow! These dredgers have been in existence for some time.

6 p.m.

I say these dredgers have come to us as a legacy and surely the sins of our predecessors, if any, should not be visited on us. As we have got them we have to manage them and I am trying to do what is possible with them. These dredgers have been purchased at a cost of Rs. 1,18,00,000 and of this figure the cost of the *Ronaldshay* alone is something like Rs. 53,00,000. The figure shows the total amount that was spent on the dredgers.

The history of the dredgers is this: The *Ronaldshay* was purchased with the sanction of the Secretary of State for the Grand Trunk Canal and the maintenance of that canal itself. *Cowley* was purchased for the general waterways in the district of Khulna and the rivers in the Sundarbans; *Burdwan* was purchased for dredging the small rivers in the province. It is intended to make them over to the proposed Waterways Trust. There is no doubt that the necessity for having a dredger like the *Ronaldshay* no longer exists but when it was purchased it was thought that there would be need for it. It is possible that some saving can be effected by reducing the staff, etc., but I may say that these dredgers are doing some work in Bengal. *Ronaldshay*, as the House is aware, has been made over to the Government of India and *Burdwan* is doing splendid work in the canals, but the other dredgers are not sitting idle or in fact are not doing nothing. In 1929 they dredged about 86½ miles———

Khan Bahadur Maulvi AZIZUL HAQUE: How many cubic feet does that come to?

The Hon'ble Alhadj Sir ABDELKERIM GHUZNAVI: I have not got these figures with me at present but I promise to give them to the hon'ble member later, if wanted.

I have tried my best to explain matters as much as possible to my friends, so I do not think there is any case for pressing this motion at all.

I have dealt with motion No. 175 but there are other motions Nos. 176, 177, 178, 181, 182, 184, 187, 193 and 196 more or less similar and I hope I shall have the privilege of speaking on those motions later.

With these words I oppose the motion.

Rai Bahadur KESHAB CHANDRA BANERJI: I beg to move that the demand of Rs. 10,98,000 under the head "15.—Irrigation—Other revenue expenditure, etc." be reduced by Rs. 1,000 (to draw attention to the inadequacy of provision and the failure of the department to

tackle the problems of the dead and dying rivers in Bengal with special reference to the condition of rivers and other waterways in the districts of Dacca and Mymensingh).

The motion is plain enough and it does not require any elaborate treatment at my hands. My object in moving this motion is to draw attention to the inadequacy of provision and the failure of the department to tackle the problems of the dead and dying rivers in Bengal with special reference to the condition of rivers and other waterways in the districts of Dacca and Mymensingh.

You, Sir, are well aware of the difficulties we, in East Bengal, have been experiencing on account of the gradual silting up of the Dhaleswari, Buriganga, Sital Lakhya, the Brahmaputra and other smaller waterways.

The Hon'ble Member has paid a glowing tribute to the work that has been done by Mr. Addams-Williams as Chief Engineer of the Irrigation Department. But I regret to have to join issue with him so far as Mr. Addams-Williams' achievements are concerned. The only achievement that can be attributed to him is the purchase of a few dredgers at a heavy outlay of money and the results obtained do not appear to be commensurate with the expenditure incurred. Mr. Addams-Williams visited Dacca on many an occasion during the last ten years and assured us that the question of improvement of these rivers was receiving the attention of Government and that the estimate relating to the Dolai khal canalisation scheme was under examination. More than a decade has elapsed but no tangible action has been taken for their improvement except that fitful dredging operations were carried out in the Dhaleswari and the Buriganga about three or four years but the action taken was not followed up by further dredging and bandalling operations, with the result that the little improvement that was noticeable has disappeared. During the visit to Dacca in January, 1930, of the members of the Irrigation Committee, the importance and necessity of continuing the dredging operations were brought prominently to their notice. Although the question of river improvement was not within the scope of their investigation, yet they saw with their own eyes the deplorable state of things in the districts of Dacca and Mymensingh and the difficulty of navigation in those parts.

Before I close my observations, I desire to point out that under orders contained in letter No. 5154-I, dated 31st October, 1917, Rai Bahadur Sailendra Nath Banarji who was then in charge of the Southern Circle, was deputed to carry out an investigation into the drainage conditions of the area lying between the Dhaleswari and Padma rivers. The Government letter concluded as follows: "The object of the investigation is to consider whether it is possible, and in what way, to improve the sanitation of the area between these rivers or to improve

navigation facilities in the Dhaleswari, Buriganga and the numerous khals to the south, especially with a view to the possibility of opening a short cut between the Padma and the Dhaleswari."

Rai Bahadur S. N. Banerji after a protracted investigation submitted a report but up till now nothing has practically been done to give effect to his recommendations. In this connection I would like to draw the attention of the Hon'ble Member in charge of the Irrigation Department to the opinion expressed by Mr. L. Birley, I.C.S., who was formerly Collector of Dacca. In his letter to the Commissioner of Dacca Division, No. 4201, dated the 4th March, 1914, he stated: "It is the general opinion, and I have no doubt the correct opinion, that the source of all the trouble is the fact that Manikganj subdivision is a country of dead and dying rivers; the most unhealthy thanas in the district are Harirampur, which is traversed by the moribund Ichamati, and Gheor, which is traversed by the old bed of the Dhaleswari. These areas have been subject for many years to epidemics of cholera and malaria. But the fact which has during the past year particularly drawn the attention of the public to the condition of the rivers is the rapid deterioration of the Dhaleswari river which comes out of the Jumna a short way outside the north-west corner of the said subdivision and traverses the subdivision from north-west to south-east.

The immediate effect of this deterioration has been a very serious hindrance in communication between Dacca and Manikganj, and a consequent difficulty in the cheap import of food grain and its distribution throughout the subdivision. This has been one of the causes of a considerable rise in prices and accounts partly for the fact that prices are much higher in Manikganj subdivision than in other parts of the district."

With these words, I strongly recommend that dredging and bandalling operation should be carried out by the Irrigation Department.

You will perhaps remember, Sir, that a few years ago a committee called the Dacca-Mymensingh Rivers Improvement Committee was appointed to advise on the question of the improvement of these rivers and you, Sir, were kind enough to preside over the deliberations of the conference held under its auspices and you know better than anybody else what difficulties we have been experiencing for a long time past. But the recommendations of successive conferences have not been yet given effect to. The question of the canalisation of the Dolai khal has been hanging fire for many years, and the sanitation of the city of Dacca is closely bound up with the improvement of this canal.

The Hon'ble Sir Ghuznavi in reply to a resolution moved by my friend Mr. Satyendra Kumar Das for the canalisation of the Dolai khal did not hold out any hopes as to when the Government would take up

the scheme. Sir, we have waited for many years but no action by way of relief is yet forthcoming and Government on account of financial stringency is unable to give a definite assurance when they will be able to take the matter in hand. I do not wish to dilate upon this question any longer, because it is too well known to Government to require further elaboration.

In view of what I have said, I hope an assurance will be forthcoming from the Hon'ble Member in charge of the Irrigation Department that when the finances of Government will improve the question of the improvement of these dead and dying rivers will be taken up by Government.

With these remarks, I commend my motion to the acceptance of the House.

[At 6-15 p.m. the Council was adjourned for prayer and it reassembled at 6-25 p.m.]

Babu SATYENDRA KUMAR DAS: Sir, while rising to support the motion that has been ably moved by my esteemed friend Rai Bahadur K. C. Banerji I would submit that, as one interested in the improvement of the dead and dying rivers and waterways in the important districts of Dacca and Mymensingh, for improving the health and sanitation of the second city (Dacca) of the province which I have the honour to represent on this Council, I feel that it is my incumbent duty to bring the question of the dredging of rivers Dhaleswari and Buriganga and the canalisation of Dolai khal at Dacca once more prominently to the notice of the Government. I think that the Hon'ble Member is aware that owing to inaction of the Irrigation Department this year, the mouth of the river Buriganga has been blocked this year by the formation of a *char* thereby making direct communication with Dacca by main river route extremely difficult during the dry season.

The Hon'ble Member has just now said that dredging operations are taken up once in every four years, as four years have passed since last dredging of Buriganga and Dhaleswari was done during 1927, I would like to know definitely whether the dredging of these rivers will be started this year. I would also like to have a definite reply as to when the canalisation of Dolai khal at Dacca will be taken up. With these words I support the motion.

Maulvi TAMIZUDDIN KHAN: I beg to move that the demand of Rs. 10,98,000 under the head "15.—Irrigation—Other revenue expenditure financed from ordinary revenues" be reduced by Rs. 1,000 (problem of reviving the dying rivers of the province with particular reference to the indecision in regard to the Chandana and the Upper Coomar improvement schemes in the district of Faridpur).

My object in moving this is to raise a discussion on the problem of reviving the dying rivers of the province, with special reference to the indecision of Government in regard to Chandana and the Upper Coomar improvement schemes in the district of Faridpur.

Sir, the revival of the dead and dying rivers of the province is, I think, the problem of all problems. The solution of this one problem is sufficient for the solution of many other crying problems in this province. Now, so far as the proper appreciation of the importance of this problem is concerned, we have no quarrel with the Hon'ble Member-in-charge. He is perfectly alive to the importance of the question and I think steps are also being taken which are satisfactory on the whole. Still this problem is of so much importance that it requires reiteration and we should lose no opportunity of drawing the attention of Government to bestow more attention than hitherto has been done to the solution of this great problem. Sir, Khan Bahadur Maulvi Azizul Haque has apportioned the problem of water-hyacinth and that of the resuscitation of rivers between two parts of the province. He says that so far as water-hyacinth is concerned it is mainly a problem of Eastern Bengal and as far as resuscitation of the dead and dying rivers is concerned, it is a question of Western Bengal. On the whole, my friend is quite right, but I would refer to one district which, so far as this particular thing is concerned, suffers from disadvantages of both East Bengal and West Bengal—I mean the district of Faridpur. So far as that district is concerned, we find that the rivers running through the interior of this district are either dead or dying and so it is going to share the same fate as many districts in Western Bengal. So far as the water-hyacinth evil is concerned, the southern part of the district is the worst sufferer from the pest. We have heard from the Hon'ble Member-in-charge that according to the estimate of Mr. Barrow, the then District Magistrate, in one single year the loss in agriculture caused by this pest was simply appalling. It was as much as Rs. 40 lakhs. So far as this district is concerned, I would draw the attention of the Hon'ble Member-in-charge to the condition of two rivers, particularly the Chandana and the Upper Coomar. The attention of the Hon'ble Member-in-charge is no doubt already directed to the improvement of these two rivers, but the delay in coming to a decision as to the schemes for the improvement of these two rivers is to my mind inexplicable. It has taken over three years to come to a decision. Of course under the present condition of finance, we cannot expect that all these schemes can be taken up just now. But my grievance is: why is there so much delay in coming to a decision? If a decision is arrived at, then I think when finances improve, these schemes may be gradually taken in hand. I hope I shall get a satisfactory reply from the Hon'ble Member-in-charge.

Babu HEM CHANDRA ROY CHOUDHURI: I beg to move that the demand of Rs. 10,98,000 under the head "15.—Irrigation—Other revenue expenditure financed from ordinary revenues" be reduced by Rs. 100 (to raise a discussion about the failure to devise a workable scheme for the protection of the Noakhali town and the want of a provision for necessary protective measure).

Sir, criticisms have often been levelled against this department questioning its efficiency in discharging its functions to the satisfaction of the public. Failure of its experts to devise a workable scheme for the protection of the Noakhali town is one of the instances which justifies the criticisms. In support of my contention, I will read a few lines from the speech delivered by the Hon'ble Member-in-charge of the Department during the last August session of the Council. He said: "For several years past, there has been going on erosion of the Noakhali town with alarming rapidity. The attack has hitherto been from three sides of the town and many valuable Government and private buildings worth several lakhs of rupees had been destroyed. Both the Public Works Department as well as the Irrigation Department have been giving anxious attentions to the best way of saving the town and the conclusions they have arrived at till last year were that many lakhs of rupees would be required to construct any protective work to save the town and even at that, chances were doubtful and alteranative was to remove the headquarters which again would involve an expenditure of some 15 to 20 lakhs of rupees."

But I tell you, Sir, fortunately, Noakhali public had little faith in the opinion of the experts. Had they remained inactive and did not take any initiation in the matter, I would have had no occasion to urge the Government to take further steps. They rather became desperate and were not prepared to lose their properties without making at least any experiment at a reasonable cost. They devised the bund scheme, some of their representatives approached the Hon'ble Member at Darjeeling and then a deputation waited on His Excellency the Governor. The Government was, however, convinced about the immediate necessity of some protective measure being taken up and as its experts could not suggest any such measure at a reasonable cost, the Government was persuaded to extend its sympathy to the scheme, though the Government refused to undertake the responsibility of working it out and of its consequences. The local district board and the municipality came forward and took up the responsibility. After considerable delay necessary permission being received from the Government, they conjointly with the Town Protection Committee immediately began the work by the latter part of January, 1930, and within a few days, that is, by the last week of February, the huge bund, 1,200 feet in length, 50 feet wide at top with maximum height of 30 feet, was finally closed with the immediate result that the channel below the bund was gradually silted up and erosion ceased.

The cost of the bund with sluices at both ends and dressing of some existing khals was originally estimated at Rs. 30,000, of course with the idea that the whole work would be completed within the winter season. But as the work had to be started very late in season and finished very rapidly under most adverse circumstances when spring tides became high and most furious, breaches occurred twice after the first closing operation and hence actual cost exceeded the estimate. Shortage of fund was being keenly felt and thus sluice gates could not be fixed at the eastern side of the bund and some existing khals could not be dressed. The Government was being repeatedly wired for the promised contribution of Rs. 15,000 only, but the Government could not actually pay the amount before the last week of May. On receipt of the contribution, however, necessary materials for sluice gates were ordered for. But before the sluices could be fixed and khals dressed, monsoon set in and abnormally heavy rains began to pour in continually for several days during the middle of July. So, as the arrangement for drainage of surplus rain water could not be finished in time, water accumulated on lands above the bund. The Town Protection Committee apprehending great loss to the agriculturists cut out a narrow channel at the eastern side of the bund in order that surplus rain water might be discharged through it. But unfortunately it took a serious turn and repeated attempts failed to close it down. But the town has been saved and *chars* have been formed along its affected sides. I must here congratulate the Hon'ble Member—had he not firmly stood against the opposition from the department, Government properties worth several lakhs of rupees, not to speak of private properties, would have been lost.

If the official version as regards the marvellous results of the bund scheme be otherwise, I would request the Hon'ble Member to pay again a kind visit to the town and see personally the improved condition of the affected area. But it is now apprehended and I believe the District Magistrate's report to the Government will bear me out that if something more be not done before the coming rainy season, we may lose not only the *chars* already formed but mainlands may again be rapidly eroded. Two courses are now open to the Government—either to help the bund scheme to be worked out in all its details or to take up some other scheme immediately in order that it may be finished before the coming rainy season. The bund scheme has already been tried and the public is well satisfied with the good results it has yielded and reasonably expects more help from the Government for bringing the scheme to finis. A contribution of, say, Rs. 50,000 may be sufficient for strengthening the bund, dressing some existing khals and fixing some more sluices. The department may raise a voice of protest and tell us that the estimate is too low and the proposed works will not be sufficient to prevent water-logging. But our

past experience is that the Town Protection Committee has got more practical wisdom and is less extravagant than the experts of the Government.

6-45 p.m.

The town and the neighbouring villages are for the time being saved from the erosion at a nominal cost of, say, Rs. 50,000 or Rs. 55,000, whereas Government experts advised the Government to shift the headquarters as it was according to them impossible to be protected at a cost which was not prohibitive.

The public has of course no special fascination for the bund scheme; they simply want that something, sufficient for the protection of the town, be immediately taken up, whether it be a private scheme or one devised by Government experts. If the prestige of the Government experts be injured in case the Government accepts a private scheme and patronises it, public will not be less enthusiastic in helping the Government to carry out its own scheme if of course it be suitable to their purse. But they have already got bitter experience of the dilatoriness of the Government experts in the matter. These experts have already taken one year's time for making survey and preparing maps and reports and if they take one year more for devising any practicable scheme, nothing will be left for their precious scheme to save. Sir, I shall be lacking in my duty if I do not tell the House that the public of the town and its surrounding villages have already suffered much owing to the erosion. Most of them had to shift twice or thrice owing to repeated attacks. They have already contributed to the fund of the bund scheme about Rs. 15,000 and in addition to that they have contracted loan to the extent of about Rs. 7,000 over and above the liabilities of more than Rs. 8,000 for the price of the materials of the sluices, etc., purchased, whereas the Government has contributed only Rs. 15,000 with the benefit of saving its properties worth several lakhs of rupees. The proportion of its contribution is, therefore, far less than the benefit it has derived. Public may not, therefore, favour any scheme under which they may have to contribute a large amount.

With these words I appeal to the Hon'ble Member not to shelve the question on the plea that the Government has been giving serious consideration to the matter as it has been doing for many years past and that it will present before the public a scheme which will permanently benefit the public, or that the Government is now short of fund. We know Government is often amenable to the policy of "penny wise and pound foolish." If the Government does not protect the town from erosion, construction of a new town will cost according to it some

Rs. 15 to Rs. 20 lakhs. But we hope the Hon'ble Member will extend his sympathetic hand to the public as he has done before and thereby help the public to save their hearths and homes.

With these few words, I recommend my motion to the House for its acceptance.

Maulvi HASSAN ALI: I beg to move that the demand of Rs. 10,98,000 under the head "15.—Irrigation" be reduced by Rs. 100 (to draw the attention of the Government to drainage problems of the province and the conditions of the dying rivers of Bengal).

Sir, the object of my placing this motion before the House has already been indicated by me. I want to draw the attention of the Government as well as the attention of the Council to the condition of the rivers, khals and water channels of the country and the drainage problems of Bengal. I know, Sir, that the problems are very serious and at the same time very big and too big to admit of any satisfactory solution by a layman. Yet I believe that it is a problem in which the people of Bengal at large are vitally interested and upon the well meaning solution of which the happiness and prosperity of the country depends to a very large extent, and therefore it will not be without any advantage, I think, if I offer some remarks on the question.

Sir, we are all aware that Bengal was once a "*nadi-matrika desh*" —an expression which is so very significant to every son and daughter of Bengal that it needs no further commentary. And what we find to-day?

The whole river system is dying out, all the khals are being silted up and the result is that the areas which were once prosperous, flourishing and teeming with a happy smiling population, are now depopulated, and turned into hot beds of malaria, small-pox, cholera, kala-azar and other fell and ugly diseases which have made their permanent homes in the once wealthy, healthy and beautious breast of Bengal. The House is well aware, Sir, that there is a very close connection between the agriculture and health of the province on one side and the rivers and water channels on the other in Bengal.

With the dying and decaying rivers and the natural water outlets of Bengal, her agriculture and health have also been dying and decaying. I need not say much more on that score, because, Sir, that is a subject which has been elaborately dealt with by Dr. Bentley in his admirable book and also by Sir William Wilcocks in his memorable speech delivered last year at Calcutta, which have become by this time public property of Bengal.

Now do we find, Sir, in the budget that Government is doing anything by way of giving any practical shape to the suggestions of these responsible gentlemen like Dr. Bentley and Sir William Wilcocks?

No. We do not find anything of the sort in the budget. Sir, looking at the budget figures when we go into the details of the working expenses on the "Irrigation head" we find that working expenses are meant to cover the expenses required for the purposes of reconstruction of some bridges, *e.g.*, Chitpur Bridge and Narkeldanga Bridge, etc., and for repairs and reconstruction of some officers' and clerks' quarters. Coming to the irrigation canals, we find that some expenditures have been budgeted for the maintenance and repairs of Miduapore Canal, Hijli Tidal Canal, Calcutta and Eastern Canals, Sundarbans Steamer Route and Madaripur Bil Route. Then comes the expenditure for repairs of dredgers. That finishes, Sir, the whole business of the Irrigation Department of Bengal with a sum of ten or twelve lakhs of rupees at its disposal for the irrigation purpose. I do not know what provision the Irrigation Department has actually made with regard to the drainage works, mention of which has been made in the first portion of page 13 of the red book given to us, in these words "Drainage works under which are comprised all projects for relief of water-logging not directly connected with any particular irrigation system, whether for agricultural or anti-malarial purposes or for both." I searched in vain, Sir, for finding out if any provision has been made for any drainage works for purposes mentioned at page 13 of the red book. I find no provision anywhere made for the purpose, Sir. The subject that the dying rivers and water channels of Bengal should be revived by all means has been discussed on this floor times without number. But, Sir, I do not know whether Government has shown any definite move or has shown any anxiety even as yet towards the matter. No, it has not. On the other hand, the Government have brushed aside the recommendations of responsible officers of it like Dr. Bentley. Sir, I do not know how long this callous attitude of the Government towards this life-and-death problem of Bengal will continue. But things have come to such a pass that the sooner the Government takes up the matter in hand, the better.

With regard to the condition of things in my side of the province, *i.e.*, North Bengal, things have grown worse and much more appalling. I would mention only two rivers and one *nala*, Sir, although there are many other dying and dead rivers on this side of the province. One is the Atrai river passing through the districts of Dinajpur and Rajshahi and the other river is the well-known river Karatoya. At one time these two rivers were very important rivers and very flourishing and the localities through which they flowed were also very flourishing and prosperous in point of agriculture, trade and commerce, health and wealth,—in all respects.

Now with the dying and decaying conditions of the rivers, these places have been reduced to a very lamentable condition. I will cite

only one example, Sir. I believe the subdivision Balurghat in the district of Dinajpur has been known to all by this time. Three or four years back only there was a famine or scarcity, as the Famine Code would have us name it, and there was an adjournment motion moved in this House in order to draw attention of the Government to the acute distress of the people. Some of the hon'ble members here might well remember how people of the place were on the verge of selling their sons and daughters for satisfying the fire of hunger and how some people at least actually sold their minor sons for few morsels of food and how people in order to quench their thirst had to take recourse to squeezing mud wrapped into *gamchas*. That scarcity of food crops and drinking water was due to the want of rainfall consecutively for three years. And for the last few years these vast tracts of lands are being visited more or less with these difficulties and distresses.

And why? The cause is not very far off to seek. The Atrai which once was in a flourishing condition passed through these villages supplying drinking water to the people in abundance and at the same time fertilising the paddy fields with her liquid bounty. Now the river is dying and the concomitant with it is the scarcity of water, scarcity of food crops and famine.

Lastly, Sir, I like to mention one khal in the Dinajpur town itself. It is known as Ghagra *nala*. It runs almost through the middle of the town. It is known to exist at one time as a small river or a rivulet in a flowing condition naturally draining away the insanitary matters from the town, and thus contributing towards the health and prosperity of the town. And what do we find now? You all know that Dinajpur has been proverbial for malaria. Experts after experts have held that the dead condition of the Ghagra is the cause of the town's being a hot bed of malaria and other diseases. Schemes after schemes have been submitted by the municipality for re-excavating the streamlet; but the Government have paid no practical heed to it as yet.

Sir, the position of the district of Dinajpur will be much more easily realised if I recall to memory an imagery of 50 years back only. The population of the district was 32 lakhs 50 years back. Now the population of the district is only 17 lakhs. Half the population has been reduced within half a century—one is simply to shudder to think.

And, Sir, what can such a depopulation of the district be due to except to the dying rivers of the district?

With these words, Sir, I want to press before the House that it is high time that the Government should come forward with a definite move to take up the drainange problem of the province.

Maulvi SYED MAJID BAKSH: Sir, I shall begin my remarks by saying that this is a proposition which is so very important that Government cannot be too careful about it. The problem of reviving dying rivers is of great importance to Bengal. It is not only the problem of Bengal, but it is the problem of other countries as well. It has been the problem of the United States and it has been the problem also of Germany, because Germany and the United States depend on their internal rivers not only for the health of the people but also for the economic salvation of their countries and for the development of their internal trade. Therefore, Sir, a country which consists mostly of bare lands naturally depends upon the rivers for its prosperity. Sir, silt is checking the flow of the rivers in Bengal—I mean the various rivers that take their rise from the Ganges which is the greatest feeder of the rivers, at least on the western side of the country. I had a mind to discuss the matter in fuller detail when taking up my own motion regarding the inability or rather the want of intention on the part of Government to take up the Bhairab Drainage Scheme, for which Rs. 26 lakhs was sanctioned by the Council on the last occasion. You will find, Sir, that the source of the Matabhanga————

Adjournment.

The Council was then adjourned till 3 p.m., on Friday, the 20th March, 1931, at the Council House, Calcutta.

Proceedings of the Bengal Legislative Council assembled under the provisions of the Government of India Act.

THE COUNCIL met in the Council Chamber in the Council House, Calcutta, on Friday, the 20th March, 1931, at 3 p.m.

Present:

Mr. President (the Hon'ble Raja Sir MANMATHA NATH RAY CHAUDHURI, KT., of Santosh) in the Chair, the four Hon'ble Members of the Executive Council, the three Hon'ble Ministers and 119 nominated and elected members.

Maulvi SYED JALALUDDIN HASHEMY: With your permission

Mr. PRESIDENT: Order, order. A new member has to be sworn in.

Oath or affirmation.

The following member made an oath of his allegiance to the Crown:—

Mr. W. C. WORDSWORTH.

Short Notice Starred Question
(to which oral answer was given).

Tea industry.

***150A. Mr. W. L. TRAVERS:** (*a*) Are the Government aware of the serious crisis which has arisen in the tea industry owing to the collapse of the market?

(*b*) Are the Government aware that the Government of Assam have made representation to the Government of India on the subject requesting the Government of India to cable the Home Government recommending the imposition of duty on non-Empire grown tea?

(*c*) Are the Government of Bengal considering the advisability of supporting the action of the Government of Assam?

MEMBER in charge of COMMERCE DEPARTMENT (the Hon'ble Mr. A. Marr): (*a*) Government are aware that the fall in prices is likely to react on the tea industry.

(*b*) Yes.

(*c*) The Government of Bengal are prepared to accept the action taken by the Government of Assam.

Mr. W. L. TRAVERS: Are the Government aware that the total value of tea imported into India is Rs. 76 lakhs while that of tea from Java is Rs. 20 lakhs?

The Hon'ble Mr. A. MARR: I am sorry Government have no information.

DEMANDS FOR GRANTS.

The discussion under the heads "XIII, 15, 15 (1), 16 and 55 Irrigation" was then resumed.

Maulvi SYED MAJID BAKSH: Sir, the question that has been raised is an important one and deserves careful consideration. As I was pointing out yesterday the problem of countries intersected by rivers and of countries which depend for their very existence and for their inland trade on rivers deserves careful consideration of this Council. I have cited the instances of Germany and America where similar conditions as exist here prevail.

Sir, rivers are regarded with feelings of reverence. The Tiber in ancient Rome was known as Father Tiber; to the Indians the Ganges is known as Mother Ganges and I beg to submit also that in the old ballads of Germanic intertribal feuds we find reference to the Rhine as Father Rhine. This shows the reverence in which important rivers were held by people in olden times, and more so in Bengal where the rivers are a question of life and death to the people of the province. The flow of the Ganges water into the plains of Bengal was unrestricted formerly and rivers were flourishing but there are many rivers now dead whose very situation shows that at one time they were very important rivers. Those rivers used to carry away the surplus portions of the Ganges water at the time of floods and with these the plains of Bengal were watered. The courses of rivers were kept open to internal traffic carried on through country boats and this produced plenty and gave an incentive to trade with other countries and also helped irrigation. These surplus waters of the Ganges flowed down the rivers and watered the plains and thereby fertilized the soil; and kept the land healthy: so that malaria which is now so very prevalent and has

rendered uninhabitable some of the districts of Bengal which were at one time regarded as sanitariums was unknown at the time. This prevalence of malaria in those tracts of the country is due to the checking of flood water that formerly used to flow down the river Ganges. The natural waters that flowed down the Ganges at first fertilized the soil by depositing silts and also deepened the depth of the rivers by the rapidity of the flow. But now these surplus waters of the floods cannot flow down the rivers, and this is the result of what Government has done to check the floods that occur in Bengal from time to time. At times there have been high tides and exceptional floods, and drawing certain conclusions from the occurrence of such floods in particular years Government without knowing their business and without really knowing the science of river systems began to raise embankments on the banks of big rivers. The result of this was that the surplus waters of the rivers could not flow down and the plains were no longer watered, and small rivers which were connected with the big ones became decadent and stagnant and caused diseases such as malaria, etc. While Nature wanted to clear the surrounding land of its impurity by washing away the dirt with plenty of water, Government checked the flow of water by embankments. But what has been the result? If the bank levels of rivers were high, floods also were high and when the embankment gave way the whole country was submerged and cattle, hearth and home were all washed away, and many found themselves destitute of all, with the result that there were misery and famine and all sorts of trouble that human beings are heir to. You will remember, Sir, that such floods occur only in certain periods of time. I remember the floods of the Ajai, the Damodar, and the North Bengal floods. In all these floods the heavy mass of water being unable to flow naturally down their courses flooded the whole country and destroyed cattle, vegetation and human lives besides bringing misery and ruin upon the land. Government met these floods by erecting embankments and these embankments obstructed the natural water channels—especially the very high embankments of the railways in North Bengal which suddenly and at unexpected times produced such floods that it was impossible for human beings to stop them. The best course would have been—as has been done in countries which are subject to frequent floods—to cut channels out of these embankments and not to obstruct Nature in her course—as some people in their pride of power chose to do—to cut out channels and let out the flood water in such a way and at such places as not to produce any floods or wash away railway lines or homesteads so that it could fertilise the soil as it did in the olden days. But Government perhaps did not understand this and therefore we find that right across the mouths of even very important rivers in Bengal, I mean, Bhairab, Kapatakshya, Jalangi, Matha Bhanga, embankments were raised in order to save railway lines, while outlets of surplus waters would have saved the country. But Government did not do that but

wanted permanently to check this flow of water by embankments, and now in consequence they find themselves faced with a problem which it is almost impossible to solve; so that these floods have become a menace to Government. I would therefore beg to suggest that the Hon'ble Member in charge of Irrigation will take serious notice of this fact and if Government wish to save Bengal they have got to change their irrigation policy. They must find out natural outlets for the flood water and not check them and waste the silt. For this purpose a scheme was sketched out by that eminent authority on Irrigation, Sir William Wilcocks, *viz.*, the Ganges Barrage. If you put a barrage right across the mouth of the Ganges in the rainy season the waters would flow to the country all round and be diverted to channels that feed the principal rivers in Bengal such as Matha Banga, Jalangi, Bhairab and many other rivers which would do the work of flushing the country and removing all diseases. The cost you will incur in raising one single barrage across the Ganges will repay all the cost that you are incurring—fruitlessly incurring—on erecting embankments and throwing away good money after bad. This scheme was opposed by the eminent Engineer of the Irrigation Department who is fortunately not here to-day. I personally went to him and discussed the matter with him but found that it was impossible to convince him. However, as that gentleman is away, I submit it to the Hon'ble Member for Irrigation and request him to take up the matter in right earnest. The people of Bengal have suffered much. My district is being gradually depopulated. We have brought it home to the power that be that the people of Jessore are diminishing to the extent of 10,000 a year, and during the last 10 years more than a lakh of people have been lessened and whereas in 1885 the population of Jessore was a little over 21 lakhs the present census shows that it is much less than 18 lakhs. If this process continues it is only a matter of calculation when this ancient district which has a glorious record in history will altogether be depopulated. Government will then lose a large amount of money in revenue and it is bad economy. A resolution was passed in this Council recommending a grant of 26 lakhs of rupees for the reclamation of the Bhairab but, Sir, it has been safely lying in the Secretariat archives; nobody has taken any notice of it. If I go to the Minister for Local Self-Government he refers me to the Irrigation Department and if I go to the Irrigation Department I am referred back to the Local Self-Government Department. In this way the matter has been shelved and I find myself in this difficulty————

[Here the member having reached his time-limit, resumed his seat.]

MUNINDRA DEB RAI MAHASAI: I beg to move that the demand of Rs. 10,98,000 under the head "15.—Irrigation" be reduced by Rs. 100 (for not making any provision for the excavation of Aurora

khal in the Arambagh subdivision of the Hooghly district and also to draw attention of the Government to the failure of the department to tackle the problems of the dead and dying rivers in Bengal specially those in the Hooghly and Howrah districts).

Sir, it is to be regretted that the Irrigation Department is in a very deplorable condition. I believe it to be the most irresponsible of all the departments of Government. The name of the department is also a misnomer. To this department irrigation is of minor importance, navigation, embankment and drainage being its chief concern. These works consume the bulk of the funds allotted to this department—Irrigation receiving the smallest share of its attention. I should ask the Hon'ble Member-in-charge to segregate irrigation from the other departments and give it a free scope. Navigation of channels is the concern of the Marine Department and it can be safely transferred to it—the work of embankment can legitimately be taken over by the Revenue Department and drainage by the Public Works Department. Irrigation should have a separate department of its own. On its successful administration depends the true welfare of the nation and the economic development of the province. The dead and dying rivers of Bengal stand as a token of living disgrace to any civilised Government in the world. No long ago it was a country of plenty and abundance, which inspired the Great Bankim Chandra to compose the memorable national anthem—*Bande-Mataram*—in which this land is described as "*Sujalang sufalang sasya samolang Mataram.*" The criminal negligence of the Government is responsible in bringing about such a disgraceful state of things. I know West Bengal thoroughly well. The condition of its river system, specially those of Hooghly, was the subject of my special study. The history of Hooghly is the history of its rivers. I have carefully studied the physiography of the district which enabled me to understand what unbounded influence the rivers exerted on the health and prosperity of the people. The great epidemic fever of the early sixties which devastated my district has been rightly assigned to the silting up of its rivers. This riparian district is a flat alluvial plain intersected by a large number of rivers and rivulets. The Hooghly, the Damodar, the Dwarakeswar and the Rupnarayan are the four main arteries of the district having innumerable veins or tributaries which served as main drainage channels and helped the irrigation of the countryside. For sheer neglect and indifference of Government rivers like the Saraswati, Kana Nadi, Behula, Kunti Nadi, Kausaki, Kana Damodar, Mundeswari, Kana Dwarakeswar, Sankara, Jhum-Jhumi, Amodar, Tarajuli, Madaria and scores of other streams and important khals like the Aurora have been allowed to be silted up. Formerly the main stream of the Hooghly flowed down the Saraswati as far as Sankrail below the Sibpur Botanical Gardens. The Saraswati played an important part in the history of

Bengal. On it stood Saptagram—once the royal port and capital of West Bengal, till the Saraswati silted up, due to the engineering folly of the Dutch in the Sixteenth Century in excavating a canal from the Kidderpore bend of the Hooghly to join it with the Saraswati at Sankrail which caused the silting up of both the Adi-Ganga and the Saraswati. Saraswati was till then a mighty river capable of accommodating sea-going vessels alongside its river walls where the cargoes were loaded and unloaded. It was the "Ganges Regia" of the ancient Romans, and was described by Ptolemy as an important seat of commerce in the East. It is now a tiny river almost silted up. The old bed of dead rivers which become stagnant pools during the rains and the silting up of the tributaries which drained the water of the surrounding countries are the main causes which contribute not only to the notorious unhealthiness of the district, but also helped to deteriorate the productivity of the soil. The countryside which once smiled with plenty and abundance now wears a desolate appearance.

Sir, during my overseas tour in some of His Majesty's colonial possessions I paid a visit to Ceylon. I was simply struck with the ancient irrigation system of that beautiful island inaugurated two thousand years ago by King Parakram Bahu—a descendant of Bijoy Singh—one of the noblest sons of my district, nay, of Bengal—the Conqueror of Ceylon. King Parakram Bahu on the occasion of his ascension to the throne declared that he would not allow a single drop of water to flow into the sea until it has been utilised to the fullest extent for the benefit of his subjects and the result has been marvellous. They still continue to exist—a living example of irrigational engineering of the olden days.

Sir, here in Bengal the ever bountiful Nature gave us one of the best irrigation systems in the world through hundreds of rivers and streams and Mother Earth was equally bountiful and the country enjoyed plenty and peace. Then in the words of Byron—

> "It was a goodly sight to see
> What heaven hath done for this delicious land,
> What fruits of fragrance blush on every tree,
> What goodly prospects o'er the hills expand."

But, Sir, through the neglect and indifference of our rulers, these Nature's gifts are dead and dying. Sir, it is useless for me to dilate on the callous indifference of the Government in the solution of these vital problems which confronted Bengal at the present moment. The criterion of good government does not rest on the maintenance of law and order alone. They must realise that mechanical efficiency in Government is certainly not the main, not even the most important, purpose of the British Government in India. The sole *raison d'etre* of the existence of the British Government in India is, as it has been

in the past, the capability of the Government to improve the material and moral well-being of the general body of citizens. The moment this glorious object is lost sight of that very moment the moral justification to rule India vanishes and the death-knell of the British Government in India is rung.

Sir, the irrigation problem, the problem of the health and wealth of a nation, has been relegated to the cold shade of neglect and indifference. No money could be found to revive the dead and dying rivers of Bengal. Highly beneficial irrigational projects have been left in the lurch to find money for the purchase of white elephants, I mean the unproductive dredgers, the *Cowley*, *Burdwan* and the *Ronaldshay*, upon which crores of rupees have been wasted and lakhs upon lakhs are being spent over their maintenance. This huge waste of public funds is crippling the limited resources of the province, without any corresponding benefit to the country. The sooner they are got rid of, the better for the prosperity of the land. I doubt very much whether the revenues of Bengal will expand to such an extent as to make it possible to solve the irrigation problem of Bengal. The best thing would be to raise a loan on the lines of the United Provinces Government for financing productive irrigation schemes and save the country from death and desolation which stared them in the face. It would be unfortunate if my appeal falls on deaf ears. I should here like to point out that where their own national need was direly felt, the Government did not hesitate to incur an unproductive War debt of 133 crores of rupees, as a burden on the Indian Exchequer. Would it be too much, if we feel the dire necessity of saving the nation who are dying faster than the English soldiers during the Great War? The proposed loan will, I think, be more profitable to Government than projects like the Grand Trunk Canal, which has happily been abandoned, and investment in costly dredgers. It would undoubtedly increase the taxable capacity of the nation.

3-30 p.m.

MUNINDRA DEB RAI MAHASAI: I beg formally to move that the demand of Rs. 27,15,000 under the heads "15.—Irrigation" and "XIII.—Working expenses" be reduced by Rs. 101 (condition of the rivers and river systems and the water-logged areas in the Hooghly district and how this affects agriculture, sanitation and communication and the present policy and working of the Irrigation Department with special reference to the waste of public funds in the maintenance of the dredgers).

The following motions were called but not moved:—

Maulvi NUR RAHMAN KHAN EUSUFJI: "That the demand of Rs. 27,15,000 under the heads '15.—Irrigation' and 'XIII —Working

Expenses' be reduced by Re. 1 (to draw attention to the miserable condition of the rivers Jumna and the Dhaleswari and their channels and the effect of the same on water communication, etc.)."

Maulvi SYED JALALUDDIN HASHEMY: "That the demand of Rs. 17,55,000 under the head '55.—Construction of Irrigation, Navigation, etc.' be reduced by Rs. 100 (to draw immediate attention that the famous river Kapotakshi is in a dying condition so that steam navigation has become almost impossible owing to water-hyacinth peril)."

Mr. H. S. SUHRAWARDY: Sir, it makes one feel fierce and furious when one considers the extraordinary apathy of the Government of Bengal towards the Irrigation Department, and if there is one thing which makes one desire that the control of the Government should pass into the hands of the people at an early date, it is the manner in which this Irrigation Department has been administered in the past. I do not believe in burning incense at the shrine of any living member, but I must confess that our indignation is considerably lessened by the fact that to-day we have a Member-in-charge who is anxious to put the department on a firm basis, we hope we have an understanding Secretary as we have a competent Chief Engineer who can be said truthfully to be a deltaic expert, and who we trust will not dissipate the money of Bengal so cruelly and extravagantly as his predecessor. Now it is a great tribute to Mr. Addams-Williams that whenever we speak of the Irrigation Department we speak necessarily of him. He was the life and soul of a dead department, and the result is that his name is indissolubly bound up with all the criticisms against the department. Now I would rather let him be; let us start with a clean slate and leave behind that horrible nightmare. Let him rest in peace. I will not have him disturbed even in his sleep by a consciousness of that masterly inactivity that has destroyed Bengal. He was a good workman, a good draughtsman and could calculate with imaginary figures, his estimates had nothing to do with actualities. He lived in a dreamland of his own. He was an engineer, but no administrator. As I once said before, and I repeat it, he was so made that he lost sight of the wood in the contemplation of the trees. The great mistake which the Government made was to entrust the policy of the Irrigation Department to such as he, and the result is what we see now. It was not his fault, his horizon was limited; within his limitation he worked hard and conscientiously. Let us give him that credit, now that he is away; although had he been here I would not have refrained from dilating upon his shortcomings. An hon'ble member has referred to one mistake of his; I could refer to a dozen with the greatest ease, that have caused or would have caused incalculable harm to Bengal. But as I have said, let us put him by and go forward.

Let us not then deplore the legacies left by Mr. Addams-Williams. But there are so many that unless we set about rectifying them we shall be at sea. The Hon'ble Member speaks of a Waterways Trust. He has spoken of that for some considerable time, so have we. He speaks of much ground that has to be cleared. We realise it. We shall welcome that Trust, but honestly, we are not satisfied with the progress. Will the Hon'ble Member be pleased to consider the appointment as soon as possible of an Enquiry Committee? This is essential, and I hope the Hon'ble Member will not turn it down. Government has no irrigation policy; there are plenty of haphazard schemes; there are a number of white elephants, there must be a thorough inquiry before the Waterways Trust can operate. I remember in the old, old days, in a Council even more co-operating than this, but certainly in those days when this Council enjoyed a greater prestige than now, in those old, old days when I had the honour of being one of the four that led the opposition, the Government at our suggestion appointed a committee to go into the working of the Police Department, yea, even the Police Department, that sacrosanct department whose administration none but special eyes may behold—and is it too much to expect that the Hon'ble Member will consider the appointment of a Committee on Irrigation? Thus and thus only can the problem of all dead and dying rivers and the problem of hyacinth be tackled. Let not the Hon'ble Member consider this a reflection upon his administration—the Irrigation Department has been neglected by the Government as a whole and something must be done. I do not know who is responsible for the distribution of monies, but it is certain that the Irrigation Department would have got more had it occupied that importance in the eyes of Government which it should. And the manner in which this department has been neglected is a condemnation of Government as a whole. Now the irrigation problems are different for the various parts of Bengal. In East Bengal it is a problem of erosion, the training of mighty waters, and how is that tackled? Is it a secret that Serajganj and Noakhali were both doomed to destruction if the Hon'ble Member had not stepped in? To-day the problem of Noakhali is urgent and pressing. Government must find the money. If after all that the people have done, after all the sacrifices they have made; if after victory is in sight, the town comes to havoc because Government will not help the people at this stage, then woe to this Government. It is a matter of the very existence of the city and its people; the amenities of existence will come later, such as education, public health and so on. But, of course, if what is wanted is opportunities to build Government buildings when the present ones are engulfed by the waters and give more work to the Hon'ble Mr. K. G. M. Faroqui that is a different matter. All credit is due to Mr. Obaidullah of Noakhali that in teeth of the opinion of the greatest deltaic engineer in the world, he had the courage of his conviction to hold that the erosion was not due to the Meghna but to

the Noakhali khal. The bund placed across the khal which has cost the Government Rs. 15,000 and the public Rs. 40,000 has for the time being saved the town, and more than that has benefited the villagers by keeping out salt water. When the bund was breached, the poor villagers collecting pice and annas got together Rs. 2,000 to Rs. 3,000 and filled the breach. Sluice gates and excavation of a few khals to carry away the flood water will do the work. A little timely expenditure will help in building up the *chars* that are already forming, and save from destruction property worth Rs. 50 lakhs, of which incidentally the Government is the proprietor of Rs. 10 lakhs. Whenever the Irrigation Department commences its operations it begins with a grandiose scheme, which means it can never work at all, for so much money cannot be spent on small objects. The case of Noakhali is urgent, and I suggest, if money cannot be found from anywhere, that part of the money allotted to the nefarious Damodar canal be transferred to this. The Damodar canal matter is not so urgent and a lakh and a half from its allowance will be all to the good, and will save Noakhali.

The problem of West Bengal is that of dead and dying rivers. Again the question is that of life itself, and it is surprising how the Irrigation Department has been neglected by the other branches of Government, and how little Government as a whole has realised its responsibilities towards this department. While in several places the railways have been responsible for the decay of the rivers; for drought as well as of floods; for arresting the natural flow of water, in others the raising of embankments started first with a view to reclaim the spill areas and thus throw open more land to cultivators, has been responsible for their decay. The result has been that although some lands have been reclaimed, much more land has been thrown out of cultivation and entire districts have become depopulated, fever-stricken, pestilential, and a hell on earth. As a great Civilian once told me, I will not take his name, I call him great because he had a large heart, and he will be able to identify himself if he ever comes across these words—Government has failed to justify itself in West Bengal, for it has failed to perform its primary duties, namely, to keep the districts alive. To-day, Murshidabad, Nadia, Hooghly, Howrah, Burdwan, Midnapore and several other districts have become pestilential areas, and Calcutta will soon become one with the decay of the Bidyadhari. Now what is the remedy—the embankments must be lowered as far as possible and gradually done away with; the spill areas should be thrown open to do their natural work; the rivers must be made to flow as before. As Sir William Wilcocks put it, the red rich water of the river must combine with the flood water to spread over the land, and then run back along its different channels, keeping the rivers well scoured and the surrounding areas healthy and fertile

with newly deposited silt. This must be done and a scheme must be framed accordingly on these lines. This principle must be consciously accepted. This matter has been considered in the Council before. On several occasions I have expiated on this principle in fuller detail—the Council has endorsed it and is it a wonder if we consider we have a grievance if Government still do not move in the matter. It was a great day for Bengal when Sir William Wilcocks consented to come to Bengal and explore the areas for himself; it was a great day for us when he placed before the public a rational policy and a rational principle. Indeed his principles were as much on a par with the known experience of the people as they were divergent from the fatuous idiosyncracies of the department. We hailed him as our saviour and we assert that if ever Bengal is to live again, if it is again to become a flourishing province, it can only be if the principles of Sir William Wilcocks are accepted. I therefore demand of the Government: Is it going to accept the principles laid down by him? If it does not, believe me the Council will never rest satisfied until it does. If it persists in killing us as a stupid fetish to the obstinacy of Mr. Addams-Williams, believe me it will put itself outside the pale of civilised government. Sir William came again. He again explored regions and put forward a practical scheme. By facts and figures, and his estimates are entitled to much more respect than the estimates put up by a man which have never been fulfilled, by facts and figures and estimates in which he has left a cent. per cent. margin, he guarantees to revivify Bengal at a capital outlay of Rs. 4½ to 6 crores. Just think of it. A country devastated will again begin to live; disease will give way to health; poverty to wealth. And all for the paltry sum of Rs. 4½ crores; which you will get back in full. Sir William stakes his reputation on the scheme. The brain which conceived the Assouan Dam, is the brain that has conceived this project. If only Government would give him the facilities to work up a more detailed scheme I feel sure that some Ernest Cassells will come forward to finance it. I hope the Hon'ble Member will take his courage in both hands. Let him forget the past as a nightmare; let him go forward bravely and in the name of God, for the sake of his country, for the sake of humanity, invite Sir William and place the irrigation policy of the country in his charge, and ask him, beg him, to put through his scheme. Believe me there is no engineer who is worthy to tie the latchets of his shoes—and to hear the jeers and gibes of little men, who revel in their own ignorance, makes me see red.

Now where is the money to come from? I have a suggestion to make which if widely accepted would solve the pecuniary difficulties not only of the Irrigation Department, but of Bengal and possibly of India. As every one knows I am against betting, I wish the race-courses were abolished, and games of chance in the carnivals which

are gambling hells supported by Government licence suppressed. But needs must when the devil drives. It has been the experience of philosophers and psychologists that flutters in lotteries are most popular just in those times when trade is bad; and a little bit more popular at others. A Government sweep or lottery, such as the Irish Free State Lottery, started to finance irrigation schemes, as formulated by Sir William Wilcocks, not the silly schemes of the departed Chief Engineer will, I am sure, bring in enough money for our purpose. And when the work is accomplished the sweep may be stopped. It seems to me a thing surprising to see the British people, a race of gamblers and speculators—for it is these qualities of adventure that have made of them conquerors of vast regions and vast wealth—the British people, who would not know what to do with themselves if horse-racing was abolished; who could not play cards if there were no stakes at bridge, decrying lotteries, even for such beneficent purposes. This is a suggestion which I put forward in all seriousness. For we are come face to face with death; and before it all squeamishness must give way. The Irish Free State Lottery this year has raked in a million pounds for the Grand National alone; and much it is said is contributed by the hapless unemployed cut of their doles. I see no reason why we should not take it up. On the one side I see disaster and death, want of funds, a continuous struggle, the injustice of the Meston award, provincial jealousies; on the other the possibility of a few becoming rich, or many, if the prizes are distributed and multiplied as in the Irish lotteries, and a 20 per cent. gain to Government for the purpose of bestowing life, wealth and health to a dying people.

Khan Bahadur Maulvi AZIZUL HAQUE: Sir, with your permission I should like to put a few questions to the Hon'ble Member. In his yesterday's speech the Hon'ble Member said that so far as the question of water-hyacinth is concerned it is not the concern of the Irrigation Department. May I respectfully point out to him that in the annual report of the Department of Agriculture for the year 1924-25—probably that was the time when the Hon'ble Member was in charge of the department—it is stated that "it has now been decided that the problem is outside the scope of the Agricultural Department, and that a special organisation is needed." Surely it is interesting to know, now that the Irrigation Department says that it has no concern with it, whose concern it is to deal with the water-hyacinth problem.

There is another point and it is this. In the year 1921-22 the decision of Government on the Damodar canal project was that it was impossible for Government to embark on a prohibitive expenditure like this and that Government would consider the question should it

become advisable to carry out the project under the Agricultural and Sanitary Improvement Act. The very next year it was decided that unless the people came forward for the Damodar canal project to be taken up under the Agricultural and Sanitary Improvement Act, it would not be taken up. How is it that Damodar canal is being worked in spite of all these?

Dr. NARESH CHANDRA SEN GUPTA: Sir, Khan Bahadur Maulvi Azizul Haque has congratulated the Hon'ble Member on his being responsive to public opinion. He has also congratulated the Hon'ble Member on his having got rid of Mr. Addams-Williams. The Hon'ble Member was somewhat disinclined to accept the congratulation on the second count, but he has readily accepted the congratulation on the first count. I am very glad to find that both the Khan Bahadur and the Hon'ble Member agree that the Hon'ble Member is responsive to public opinion, but it is not enough for the Hon'ble Member in charge of the Irrigation Department, upon whom in a very large measure depends the economic existence of the people, to be merely responsive to public feeling. He has got to be more. It is not enough for him to deal with the complaints and questions brought before him by the people, but it is necessary for him to go ahead and show that imagination in developing programmes for a system of irrigation which will save the country. The materials for such a programme and in fact the outlines of such a programme have been placed before us by one of the world's greatest irrigation engineers, Sir William Wilcocks. That programme if adopted by Government will certainly solve more than one problem of the country. It will solve the problems of waterways, public health and agriculture. Now, I am sure that the Hon'ble Member is in sympathy with that programme. I hope and trust that Khan Bahadur Azizul Haque is right when he says that the programme could not have greater favour with the Hon'ble Member because of the obstruction of the Chief Engineer. Well, if that is so, now is the time to go forward. Let him lay out a programme not in vague and general terms, but a programme which will be achieved in the course of the next five years. Let him have a five years programme like the Soviet Russia. In this connection I might possibly invite the attention of the Hon'ble Member to the sort of thing that is being done in that country in connection with irrigation, the details in which the irrigation problems have been worked out there and how they have been seeking to achieve it in the course of five years, and what has been done in the course of three years. If the programme, the basis of which has been laid down by Sir William Wilcocks, is honestly and sincerely initiated, it will transform Bengal into a smiling country, and by initiating such a programme during the short time that he will be in charge of this

department the Hon'ble Member will earn the lasting gratitude not only of the present generation but of the generations to come.

MEMBER in charge of IRRIGATION DEPARTMENT (the Hon'ble Alhadj Sir Abdelkerim Chuznavi): Mr. President, Sir, certain points have been raised during this debate and with your permission I will take up the last one first, *viz.*, that raised by Khan Bahadur Maulvi Azizul Haque. Last evening the Khan Bahadur was dilating on the same question, *viz.*, the eradication of water-hyacinth. He asked what steps Government had taken in the matter from the year 1927 onwards. In the year 1927 I held a conference of people of every shade of opinion at Dacca which was opened by His Excellency the Governor. At that conference a certain policy was laid down and certain resolutions were passed. As a result of those resolutions Government prepared a Bill to eradicate water-hyacinth from Bengal. It was the intention of Government to introduce this Bill in the Council, but before the Bill could be introduced some members of this House were then wholly engaged in the pastime of ministry wrecking. I myself went to the Khan Bahadur and asked him if he could not stay his hands even for the sake of eradicating water-hyacinth. Well, that hand was not stayed.

Mr. H. S. SUHRAWARDY: The Hon'ble Member always refers to ministry wrecking, but I feel certain that on account of the very good behaviour of the members of the present Council he ought to leave the sting of that memory behind.

The Hon'ble Alhadj Sir ABDELKERIM CHUZNAVI: Well, I I am just stating the case. Then, Sir, that hand was not stayed and the wrecking of ministry was then considered to be more important than the eradication of water-hyacinth. I was at that time in charge of the Department of Agriculture and Industries. The question has been put to me what has been done by the Irrigation Department in this connection. I find that the Irrigation Department has gone out of its way and is even now tackling the question.

Khan Bahadur Maulvi AZIZUL HAQUE: My question was that in view of the definite finding in the Agriculture Department that it is not the concern of that department, has the Hon'ble Member anything to say as to whose concern it is?

The Hon'ble Alhadj Sir ABDELKERIM CHUZNAVI: The Agriculture Department did not say that it washed its hands off the question; it only stated that as the question was a very big one it was necessary to have a special department. I would like to answer the

question further as to what steps Government took in the matter thereafter. Well, Sir, during the year 1928 when I was not in office I naturally felt like the poet who sang—

"How happy is he born and taught
Who serveth not another's will
(may I say, in parenthesis, particularly the will of some M. L. C.'s !)
Whose armour is his honest thought
And simple truth his utmost skill
Who God doth late and early pray
More of His Grace than gifts to lend
And entertains the harmless day
With well chosen book or friend."

Thus in 1928 I had no reason to care what attention was paid by Government to water-hyacinth.

In 1929 when I again came into office the very same Department of Agriculture was put under my charge, there being no ministry at the time. In the meantime Mr. J. C. Gupta had given notice for the introduction of a Bill for the eradication of water-hyacinth and as Government also wanted to introduce a similar Bill we were ready to accept his Bill with slight modification. That is the history of the case down to 1929.

Mr. W. L. TRAVERS: May I know the intention of the Hon'ble Member in referring to the history of water-hyacinth?

The Hon'ble Alhadj Sir ABDELKERIM GHUZNAVI: I would have left the question of water-hyacinth alone but for the fact that the last sentence of my friend, the Khan Bahadur, related to it.

4 p.m.

Babu SATISH CHANDRA RAY CHOWDHURY: On a point of order, Sir, I want to know whether this water-hyacinth problem has been taken up by the Irrigation Department. If it has not been, is it not *ultra vires* for the Hon'ble Member-in-charge to deal with the question?

Mr. W. H. THOMPSON: Would it not be better in such a matter as this to have joint responsibility between the two sides of Government?

The Hon'ble Alhadj Sir ABDELKERIM GHUZNAVI: To this I may answer that Government are now contemplating to form a special department in other words the Waterways Trust to deal with the matter of water-hyacinth.

Sir, I now come to other points that have been raised. One point is about Sir William Wilcocks. Sir William Wilcocks came to this country on two occasions and delivered two courses of lectures for the University. When he delivered his first course of lectures, Mr. Addams-Williams took pains to write his criticisms on them. When I came to office, I had the advantage of reading his notes on Sir William Wilcocks' lectures. A year after Sir William Wilcocks paid a second visit to Calcutta. On that occasion he did me the honour of calling on me and gave me copies of his second course of lectures. He also very kindly sent copies to Government. His lectures were made over by me to the Chief Engineer, Mr. Addams-Williams, who has also written his criticisms on those lectures. These criticisms have been sent to Sir William Wilcocks. When Sir William Wilcocks' reply is received, both criticisms will be considered in the Irrigation Department and, if there is no objection, made available to the public.

Sir, I cannot leave this subject without touching on the question of the dead and dying rivers of Bengal. We have heard a lot about them. But I have not, however, heard from any quarters of the House any constructive suggestion as to how to tackle this problem.

Mr. H. S. SUHRAWARDY: There is Sir William Wilcocks' suggestion and it is surprising that Government with all the resources at its disposal cannot put forward a practical scheme on the basis of those suggestions which could be taken in hand immediately. We think that Sir William Wilcocks' suggestions are the only possible ones in this respect.

The Hon'ble Alhadj Sir ABDELKERIM GHUZNAVI: I do not deny that there are suggestions in Sir William Wilcocks' lectures. But that was not my point. My point was that I had received no constructive suggestion from any quarter of this House, from any members present here. Sir William Wilcocks' suggestions will be considered before the proposed Waterways Trust lays down a policy in this matter.

As regards the suggestions made by Sir William Wilcocks, may I, with your permission, Sir, read out certain extracts from Mr. Addams-Williams' notes?

"The principle involved in increasing the fertility of the soil and decreasing the ravages of malaria by the use of silt-laden water is one which had been accepted by the Irrigation Department of this province long before Sir William Wilcocks visited it.

With the limited supply of funds at our disposal the principle has been acted on, though it is true we have not been able to make as much progress as we should have liked, the reasons for which will be found in the report of the Irrigation Committee.

Mistakes have been made in the past in regard to the policy adopted about the middle of last century in raising large embankments in continuous lines along the rivers and have been acknowledged long ago: but it is easy to pile up embankments: it is a most complex matter to remove them.

Though opinions may differ in regard to the cause, it is quite certain that at the head of the Gangetic delta there has been a considerable alteration in the relative levels of the land and the water in the Ganges with the result that the Ganges and its offshoots do not now spill to anything like the extent they used to. It is quite possible the case is one of a retreating delta head.

It is only comparatively recently that the use of silt-laden water as a means of fighting malaria has been brought to notice in this country.

Malaria existed in Bengal long before the British occupation. Gour, one of the old capitals of Bengal, was evacuated for this reason. It is not convincing to say that experience gained elsewhere is sufficient to enable an opinion to be given with confidence on the problems in Bengal. Conditions are different in different localities and in Bengal are most complex and are continually altering. Practically no river can be said to be steady, neither can rivers bearing vast quantities of solid material ever be steady in their deltas. They swing from one side to the other which is a natural feature and is the method adopted by nature of building up the land. With the natural swing of the rivers there must necessarily be dead rivers in a large delta: were the main Ganges to flow down the Bhagirathi we should have dead rivers in Eastern Bengal.

It is probably due to the fact that the Ganges has a freer outfall to the sea through the Meghna estuary than it had that the Bhagirathi and other rivers have deteriorated; most of the Bhairab has died with its effluents, and the land in Central Bengal has become relatively higher than the water in the parent stream. The result is that the grades in all the rivers in this area have become less and these channels are not able to act efficiently as silt-carriers. A few years ago under my orders all the sluices on the left bank of the Bhagirathi were kept fully open during high stage in that river: yet the total area irrigated only amounted to a few hundred acres, showing the drop in levels. It is a mistake to believe that the Jalangi and Matabhanga are old effluents of the Ganges. They did not exist in the days of the activity of the Bhairab; both of them have cut across the Bhairab. The true ridge of the central delta is not the Matabhanga but the Bhairab. Before the upset took place the Bhairab with its distributaries spilled over probably not less than two-thirds of the delta built up by the Ganges, and almost the whole of the old rivers which now appear to have had their origin in the Matabhanga were nothing more than the

spill channels of the Bhairab. The Matabhanga has beheaded most of them. Actually, both the Jalangi and the Matabhanga are abnormalities, cutting as they do across the true delta-building rivers and their existence is another proof of the upset in levels. To train the parent stream in its delta in a definite course for ever is asking for trouble: it is the function of such a river to distribute its silt all over its delta: to hold it in one course is unnatural and is on the principle of asking the mother to give all her attention to one child and ignore the rest. The Tista years ago forsook its old course which ran much as the river does to-day: it turned southwards through the Atrai and entered the Ganges in the Pabna district: in 1787 it changed back to the former course and has remained in it to this day. The Kosi river has many times changed its course. The Brahmaputra did likewise about the beginning of last century. The Ganges also changed course about the same time in the Faridpur and Bakarganj districts. The Damodar below Jamalpur opened about 1770; the Begua in 1865. All these major changes show the restlessness of deltaic rivers, and it seems probable that natural causes, possibly a sudden avulsion to some extent helped by man, brought the Bhagirathi into being. Important changes may, however, be brought about entirely by the hand of man: a small channel dug in the bank of a river may give a lead; the cut made by the villagers to join the Buriganga with the Dhalleswari a few years ago has practically killed the first named river in the reaches below the cut. On the other hand, the cut made by the District Board of Jessore, known as the Hallifax cut, has done good to a large area. The hand of Bhagirath will be found in none of these cases. In most cases it will be found that the ancient King that created the rivers and altered them was *Nature*."

Mr. H. S. SUHRAWARDY: Sir, is not that note a belated apology on the part of Mr. Addams-Williams?

The Hon'ble Alhadj Sir ABDELKERIM GHUZNAVI: I do not know whether I can accept Mr. Suhrawardy's interpretation. There was a great demand in the House for information as regards Mr. Addams-Williams' criticisms on Sir William Wilcocks' suggestions and so I have taken the trouble of reading out extracts from his criticisms. These criticisms as will be seen relate to the dead and dying rivers to which references have been made by more than one speaker last night and this afternoon.

Kumar SHIB SHEKHARESWAR RAY: On a point of order, Sir. The Hon'ble Member is reading extracts from a note which is confidential. If so, is he entitled to read them out?

Mr. PRESIDENT: The Hon'ble Member, perhaps, indicated that these notes will be available to the members of the House. If that is so, I think he is entitled to read extracts from the notes referred to.

Dr. NARESH CHANDRA SEN GUPTA: Is the Hon'ble Member ready to show us the whole of the report?

The Hon'ble Alhadj Sir ABDELKERIM GHUZNAVI: Not necessarily the whole of it.

Mr. PRESIDENT: In that case it was not fair on your part to have read any part of it.

The Hon'ble Alhadj Sir ABDELKERIM GHUZNAVI: I have read these extracts in order to show that Government have been paying attention to Sir William Wilcocks' suggestions. As I have said, this also shows that Government is not inattentive to the problem of the dead and dying rivers of Bengal.

Rai Bahadur KESHAB CHANDRA BANERJI: On a point of order, Sir. The Hon'ble Member has not yet replied to the various points raised in connection with token cuts.

The Hon'ble Alhadj Sir ABDELKERIM GHUZNAVI: I was just coming to those points, and if hon'ble members will give me a patient hearing, they will have replies to all the points raised by them.

The provision in the next year's budget for improvement of rivers in the Dacca district (Dhaleswari, Buriganga, Sitalakhya, etc.) is Rs. 20,000. A provision of Rs. 11,248 for a new scheme (improvement of Lohajang river) in the Tangail subdivision has also been made in the next year's budget.

The bandalling of the whole course of the rivers Dhaleswari and Buriganga has been handed over to the Steamer Companies on an annual subsidy of Rs. 17,500 included in Rs. 20,000 (who have been requested to keep Baraitola-Charabari channels open throughout the year). Government have recently sanctioned the dredging of a shoal at the mouth of the Sitalakhya.

In regard to the Chandana and Upper Coomar improvement scheme referred to in motion of Maulvi Tamizuddin Khan, the question of improving the Chandana river was found to be extremely complicated and difficult from engineering points of view. Several investigations into the feasibility of improving the river were carried out and several schemes chalked out but they appear to be of doubtful efficacy. There is a scheme for a cut from the Chandana to the Barasia. This scheme, according to the opinion of the Chief Engineer, is feasible but will

not affect the Upper Chandana above Arkandi. The Chandana falls into the Upper Coomar and any improvement of the former will have effect on the latter also. Further investigation has been kept in abeyance on account of financial stringency and it would serve no useful purpose to prepare an elaborate scheme which could not be executed.

As regards the improvement of rivers in the Hooghly and Howrah districts referred to in motion of Munindra Deb Rai Mahasai, estimate for the improvement of Kunti and Saraswati rivers will be prepared if it is found that the dam across the Passer khal which has been cut is insufficient to clear the drainage.

As regards the failure of the department to tackle the problems of the dead and dying rivers in Bengal, want of funds and paucity of staff have stood in the way. The member is referred to Chapter II of the Report of Irrigation Department Committee. Government, however, are now considering the recommendations of the Irrigation Department Committee together with the views expressed on them by commercial and public bodies whose opinions were invited with a view to constitute, as early as possible, a Waterways Trust to deal effectively with the intricate problems of waterways of the province.

4-15 p.m.

It will thus be seen, Sir, that Government are not sitting idle, but are doing all these things and hope that they will be able to tackle the question in the near future.

I now pass on to another point raised by some members, namely, the question of the Noakhali bund. The erosion of the Noakhali town has been going on for many years. Petitions were received from prominent persons of the Noakhali town, including the Chairman of the District Board, the Chairman of the Municipality and others, asking Government to do something to protect the town from further erosion. An informal conference was held at Government House on the 18th December, 1929. His Excellency the Governor, the Member in charge of the Irrigation Department, the Irrigation Secretary, and a deputation consisting of the leading men of the town were present. Several schemes that had been suggested were referred to and the deputation pressed for the scheme under which a bund would be placed across the khal. It was agreed that the District Board and the Municipality would submit a definite scheme through the local officers for the consideration of Government.

Accordingly the District Board and the Municipality submitted through the Collector and the Commissioner a bund scheme costing Rs. 30,000, inclusive of two overflow iron gates and re-excavation of the silted up portions of two branch khals. The Collector recommended the scheme and was of opinion that in order to be effective,

it must be carried out before the middle of February, giving at least five months' time for the silt to deposit and break the force of the water. In view of the extreme urgency of the case, permission was accorded to the District Board and the Municipality to commence the work on the bund, subject to any further orders which Government might find it necessary to issue on the subject, and subject further to the condition that the District Board and the Municipality would be responsible with regard to the claims of any parties other than Government, and that Government should have no responsibility in the matter.

The Chief Engineer, Mr. Addams-Williams, however, was of opinion that the scheme of a dam across the khal was entirely impracticable, and that even if the scheme could be carried out, the cost would be much more than that estimated by the District Board. His chief objection was that no suitable means were provided for the drainage of the country. As the scheme had the support of the local authorities, and the Collector and the towns-people were definitely in favour of it, it was difficult for Government to refuse permission to construct the bund. And owing to a strong objection of the people of the Chowmohani area, further conditions were imposed to the effect that the District Board and the Municipal authorities must accept entire responsibility, and that in the event of serious water-logging or danger to crops occurring as a result of the erection of the bund, it would be cut open and that it should be left entirely to the discretion of the Collector to decide whether the bund should be cut open or not.

On the recommendation of the Collector a sum of Rs. 15,000 was contributed by Government towards the scheme.

During the next monsoon there was heavy inundation, particularly in the depression around Chowmohani. As no proper provision for drainage of the excess rain water was made, the position became serious, and the Collector had to cut open the bund and then it was partly washed away.

Subsequently the District Board applied to the Collector to take steps to construct a bund across the Noakhali khal under the Sanitary and Agricultural Improvement Act of 1920. The Collector approved the proposal and directed the District Engineer to prepare a scheme under section 5 of the Act. Accordingly the District Engineer has prepared a scheme at an estimated cost of Rs. 1,25,000. Before submitting the scheme officially through the Commissioner, the Collector has forwarded it demi-officially to the Irrigation Department for its examination by the Chief Engineer with a view to expediting matters in connection with the scheme. The Chief Engineer, Mr. Addams-Williams, after an examination of the scheme, was of

opinion that it was defective and that an effective scheme would cost between Rs. 5 and 7 lakhs. The Irrigation Department has instructed the present acting Chief Engineer to make further investigation and collect data for drawing up a comprehensive scheme. Government will consider the various possible methods of protecting the town from further erosion. I should also like to mention that Government are fully alive to the seriousness of the thing and they are of opinion that if it is possible to take other measures, they will certainly take them in order to save the town. It is well known to everybody that if the present town of Noakhali is washed away, it will take an enormous amount of money to build another town. Naturally Government are anxious to do all they can to save the town————

(Here the Hon'ble Member having reached his time-limit resumed his seat.)

The following motion of Khan Bahadur Maulvi Azizul Haque was then, by leave of the Council, withdrawn:—

"That the demand of Rs. 10,98,000 under the head '15.—Irrigation—Other revenue expenditure financed from ordinary revenue' be reduced by Rs. 1,000 (to draw attention to the failure of the department to tackle the two outstanding irrigation problems of Bengal, *viz.*, water-hyacinth and the dead and dying rivers)."

The following motion of Rai Bahadur Keshab Chandra Banerji was then put and lost:—

"That the demand of Rs. 10,98,000 under the head '15.—Irrigation—Other revenue expenditure, etc.' be reduced by Rs. 1,000 (to draw attention to the inadequacy of provision and the failure of the department to tackle the problems of the dead and dying rivers in Bengal with special reference to the condition of rivers and other waterways in the districts of Dacca and Mymensingh)."

The following motion of Maulvi Tamizuddin Khan was then, by leave of the Council, withdrawn:—

"That the demand of Rs. 10,98,000 under the head '15.—Irrigation—Other revenue expenditure financed from ordinary revenues' be reduced by Rs. 1,000 (problem of reviving the dying rivers of the province with particular reference to the indecision in regard to the Chandana and the Upper Coomar improvement schemes in the district of Faridpur)."

The following motion of Babu Hem Chandra Roy Choudhuri was then, by leave of the Council, withdrawn:—

"That the demand of Rs. 10,98,000 under the head '15.—Irrigation—Other revenue expenditure financed from ordinary revenues' be reduced by Rs. 100 (to raise a discussion about the failure to devise a workable scheme for the protection of the Noakhali town and the want of a provision for necessary protective measure)."

The following motion of Maulvi Hassan Ali was then put and lost:—

"That the demand of Rs. 10,98,000 under the head '15.—Irrigation' be reduced by Rs. 100 (to draw the attention of the Government to drainage problems of the province and the conditions of the dying rivers of Bengal)."

The following motion of Munindra Deb Rai Mahasai was then put and lost:—

"That the demand of Rs. 10,98,000 under the head '15.—Irrigation' be reduced by Rs. 100 (for not making any provision for the excavation of Aurora khal in the Aramhagh subdivision of the Hooghly district and also to draw attention of the Government to the failure of the department to tackle the problems of the dead and dying rivers in Bengal specially those in the Hooghly and Howrah districts)."

The following motion of Munindra Deb Rai Mahasai was then put and a division was called, but as no division was called when it was put a second time after the division bell ceased ringing, the motion was declared lost:—

"That the demand of Rs. 27,15,000 under the heads '15.—Irrigation' and 'XIII.—Working expenses' be reduced by Rs. 101 (condition of the rivers and river systems and the water-logged areas in the Hooghly district and how this affects agriculture, sanitation and communication and the present policy and working of the Irrigation Department with special reference to the waste of public funds in the maintenance of the dredgers)."

The motion that a sum of Rs. 44,83,000 be granted for expenditure under the heads "XIII.—Irrigation—Working expenses," "15.—Other revenue expenditure financed from ordinary revenue," "15 (1).—Other Revenue expenditure financed from Famine Relief grants," "16.—Construction of Irrigation, Navigation, Embankment and Drainage Works—financed from Ordinary Revenue" and "55.—Construction of Irrigation, Navigation, Embankment and Drainage Works not charged to Revenue" was then put and agreed to.

The time-limit having been reached the following motions under the head "XIII, 15, 15 (1), 16 and 55.—Irrigation" were not called:—

Khan Bahadur Maulvi AZIZUL HAQUE: "That the demand of Rs. 10,98,000 under the head '15.—Irrigation—Other revenue expenditure, etc.' be reduced by Rs. 10 (to discuss the working of the department)."

Maulvi ABDUL HAMID SHAH: "That the demand of Rs. 10,98,000 under the head '15.—Irrigation' be reduced by Rs. 5 (insufficient work done in East Bengal)."

Mr. NARENDRA KUMAR BASU: "That the demand of Rs. 10,98,000 under the head '15.—Irrigation' be reduced by Re. 1 (neglect of the Nadia Rivers)."

Haji Badi AHMED CHOWDHURY: "That the demand of Rs. 10,98,000 under the head '15.—Irrigation' be reduced by Re. 1 (want of provision for Anwara-Katakhali khal in Chittagong)."

Maulvi ABDUL HAKIM: "That the demand of Rs. 10,98,000 under the head '15.—Irrigation' be reduced by Re. 1 (negligence in doing any irrigation work in the district of Mymensingh and some other districts of East Bengal)."

Khan Bahadur Maulvi AZIZUL HAQUE: "That the demand of Rs. 10,98,000 under the head '15.—Irrigation—Other revenue expenditure' be reduced by Re. 1 (to urge the appointment of a committee of two officials and five non-officials to review the working of the department and to recommend the future policy and working of this department and to recommend steps for the reorganisation of the department)."

Maulvi MUHAMMAD FAZLULLAH: "That the demand of Rs. 10,98,000 under the head '15.—Irrigation' be reduced by Re. 1 [to criticise the wrong and unusually heavy estimates made by the late Chief Engineer (C. Addams-Williams, Esq.), with regard to Noakhali and Serajganj Dam Schemes in comparison with the actual expenditure which by practical experience found to be low and economic]."

Khan Bahadur Maulvi AZIZUL HAQUE: "That the demand of Rs. 16,17,000 under the head 'XIII.—Working expenses' be reduced by Rs. 1,000 (to draw attention to the heavy establishment charges)."

Babu JITENDRALAL BANNERJEE and Mr. P. BANERJI: "That the demand of Rs. 27,15,000 under the head '15.—Irrigation' and 'XIII.—Working expenses' be reduced by Rs. 101 (Irrigation policy)."

Rai Bahadur KESHAB CHANDRA BANERJI: "That the demand of Rs. 27,15,000 under the heads '15.—Irrigation' and 'XIII.—Working expenses' be reduced by Re. 1 (inadequate provision for improvement of rivers and other waterways in the districts of Dacca and Mymensingh)."

Khan Sahib Maulvi BAZLUL HUQ: "That the demand of Rs. 27,15,000 under the heads '15.—Irrigation' and 'XIII.—Working expenses' be reduced by Re. 1 (to discuss the policy of the Government in recruiting officers trained in England and in Bengal Engineering College, Shibpur)."

Khan Sahib Maulvi BAZLUL HUQ: "That the demand of Rs. 27,15,000 under the heads '15.—Irrigation' and 'XIII.—Working expenses' be reduced by Re. 1 (to draw attention to the sufferings of the people of the Feni subdivision, in the district of Noakhali, on account of not taking any steps for draining out of the surplus flood water which damages standing crops and other agricultural produce every year)."

Mr. H. S. SUHRAWARDY: "That the demand of Rs. 14,98,000 under the head '55A.—Irrigation Works' for Damodar Canal Project Works be refused."

Mr. H. S. SUHRAWARDY: "That the demand of Rs. 14,98,000 for Damodar Canal Project Works under the head '55A.—Irrigation works' be reduced by Rs. 101 (ill-advised project and waste of money)."

Mr. R. MAITI: "That the demand of Rs. 17,49,000 under the head '55—Construction of Irrigation, Navigation, Embankment and Drainage works not charged to Revenue—A—Irrigation Works' be reduced by Rs. 100 (necessity for steps against annual floods in the district of Midnapore by introducing drainage works or other schemes)."

MUNINDRA DEB RAI MAHASAI: "That the demand of Rs. 17,49,000 under the head '55—Construction of Irrigation, Navigation, Embankments and Drainage Works, not charged to Revenue—A—Irrigation Works' be reduced by Rs. 10 (to raise a discussion about the embankments, on the Shelai river from Srirampur to Ganchia, from Baghpota to Radhachak, Panna circuit embankment and Ghatal circuit embankment, etc.)."

Dr. NARESH CHANDRA SEN GUPTA: "That the demand of Rs. 17,49,000 under the head '55.—Construction of Irrigation, Navigation, Embankment and Drainage Works (not charged to revenue)—A—Irrigation Works' be reduced by Re. 1 (inadequacy of irrigation works and necessity of a comprehensive programme)."

Mr. SARAT CHANDRA BAL: "That the demand of Rs. 17,55,000 under the head '55.—Irrigation' be reduced by Rs. 20,000."

MUNINDRA DEB RAI MAHASAI: "That the demand of Rs. 17,55,000 under the head '55.—Irrigation' be reduced by Rs. 105 (to draw attention to the necessity of raising a loan of Rs. 5 crores and to the appointment of a committee to explore the possibilities of doing the same)."

Babu JITENDRALAL BANNERJEE: "That the demand of Rs. 17,55,000 under the head '55.—Construction of Irrigation, Navigation and works' be reduced by Rs. 101 (to raise a discussion about the Bakreswar canal and the contemplated *Mor* canal scheme)."

Maulvi SYED MAJID BAKSH: "That the demand of Rs. 17,55,000 under the head '55.—Construction of Irrigation, Navigation, Embankment and Drainage Works' be reduced by Rs. 100 (for failure of the department to give effect to the Bhairab drainage scheme No. II)."

Mr. SARAT CHANDRA BAL: "That the demand of Rs. 17,55,000 under the head '55.—Irrigation' be reduced by Rs. 100 (procedure adopted in allowing boats to pass through gates, especially the gate constructed at the mouth of Dedagram khal near Gopalganj town and grievances of the inhabitants of Gopalganj and adjoining villages)."

Mr. SARAT CHANDRA BAL: "That the demand of Rs. 17,55,000 under the head '55.—Irrigation' be reduced by Re. 1 (construction of a bund with insufficient number of gates and sluices along the eastern bank of the Madaripur Tentulia Bill route canal)."

Maulvi SYED JALALUDDIN HASHEMY: "That the demand of Rs. 17,55,000 under the head '55.—Construction of Irrigation, Navigation, etc.' be reduced by Re. 1 (to urge upon the Government to abolish this unnecessary department)."

Mr. H. S. SUHRAWARDY: "That the demand of Rs. 44,83,000 under the head 'XIII, 15, 16 and 55.—Irrigation' be reduced by Re. 1 (not having formulated a general policy, and not having taken into practical consideration the views of Sir William Wilcocks, and for not formulating a scheme to finance irrigation projects)."

Mr. SARAT CHANDRA BAL: "That the demand of Rs. 44,33,000 under the head 'XIII, 15, 16 and 55.—Irrigation' be reduced by Re. 1 (general policy)."

[At 4-30 p.m. the Council was adjourned for prayer and it reassembled at 4-40 p.m.]

22.—General Administration.

The Hon'ble Mr. W. D. R. PRENTICE: On the recommendation of His Excellency the Governor, I beg to move that a sum of Rs. 1,03,32,000 be granted for expenditure under the head "22.—General Administration."

The subjects dealt with under this head are so varied and numerous that I do not propose to make any speech in support of my motion.

Khan Sahib Maulvi BAZLUL HUQ: I beg to move that the demand of Rs. 20,000 under the head "22A.—Staff and household of the Governor—Private Secretary—Pay of clerks" be reduced by Re. 1 (to criticise the policy of the Government in not appointing Mussalmans in the Private Secretary's office according to population basis).

Sir, the motion is a modest and important one. The solution of this question once and for all is urgently necessary in the interest of the communities being within the province and for creation of good blood and harmony and brotherly relation between community and community. It is much to be regretted that every community view each other with mistrust. This produces a painful effect and if this be allowed to continue, it may lead to most lamentable and disastrous consequences. Every possible effort should be made to remove the mistrust and to bring in confidence, so that we may live in peace and harmony side by side.

Sir, it is the birthright of every inhabitant of Bengal to claim a share in the loaves and fishes of the State. In these days of awakening, it will be an unwise policy to endeavour to gain superiority in one community. Self-aggrandisement is a vicious crime on all considerations and should be banished from the land if the country's good be the goal. Those who are in power should, by action and not by lip sympathy, show that they are prepared to help the backward and the helpless. The policy of "give and take," which is undoubtedly the best policy to settle differences, quarrels and animosities, should be translated into action by those who are in a better position.

Sir, it is an irony of fate that the Mussalmans who were once the ruling nation of this country have lost everything they had during this 150 years of British rule. They have been deprived of the loaves and fishes of State patronage. They have been turned out of public offices gradually, so much so that in many offices you will hardly find any Mussalman officers in higher or even in lower ranks. Even in the offices of the Calcutta University, a centre of culture and learning, the Mussalman element is nil. Even in the Calcutta Corporation where *purna* Swaraj prevails, the number of Mussalman employees is almost negligible. Even in the Forest Department you will find no Mussalman officers in the Provincial Service—though from a reply to a question

put to my friend Mr. Narendra Kumar Basu on the floor of this House, the other day, we find that a non-Moslem having no special qualification in forestry, who is a third grade Bachelor of Arts, has been taken in. Instances of such nature are not rare. But I do not like to dilate upon it unless expressly called upon. Similar is the case in the lower services of the Forest Department.

Sir, the unfortunate Moslems on the plea of their backwardness in education have been systematically turned out of offices. I should not wander far and to distant places. Let me come nearer home to the foot of the seat of Government—I mean the office of the Private Secretary to His Excellency the Governor. What is the number of ministerial officers there? How many of them are Moslems? An independent and disinterested person will simply shudder on hearing the reply.

Sir, I do not blame my non-Moslem friends for this miserable state of affairs. In these days of the struggle for existence it is but natural for our non-Moslem brethren to try to appropriate to themselves as much of the State patronage as they could. It was not their duty to look to fair distribution. It is the Government and Government alone who are responsible for this unequal distribution. It was the first and foremost duty of the Government to see that all the different races, castes and communities are properly represented in all branches of public life. True it is that Government have promulgated and passed rules and orders prescribing a minimum number of ministerial appointments for the Mussalmans. But Government did nothing to see that their orders are obeyed in letter and spirit. These orders and circulars were observed more in breach than in action, but what did the Government do?—Nothing. Government usually takes most stringent measures for disobedience to their orders in other matters, but here they are inactive and indifferent. This shows beyond a shadow of doubt that Government do not mean real business and that Government were not sincere when they passed those orders; otherwise this disastrous consequence would not have followed and would not have been allowed unchecked. Mussalmans gained nothing by these paper sympathies beyond being subjected to taunting remarks and ridicule. They gained the sweet epithet of "the favoured wife of the British Raj" though in reality and action they may be called the "neglected wife."

Sir, I do not plead for inefficient and unqualified men. I do not plead for favour. But I plead for justice; I plead for fair play and not favour. Mussalmans lost many things in the past, but they do not like to be duped and deprived any longer. The plea of inefficiency is a talk of the past. The plea of educational qualification does not arise in the face of the fact that many Moslem graduates, not to speak of under-graduates and Matrics, are roaming hither and thither in search of employment. I can cite an example here. Just consider what happened in Bogra collectorate the other day. In reply to my question

in this very House, the Hon'ble Sir Provash had to admit that for a few ministerial appointments as many as thirty-five Moslem youths applied. Among them there were graduates, under-graduates and none below Matric, and what did the Indian Collector do? Out of the five vacancies he favoured the Moslems with only one and the rest four went to non-Moslems. Thanks to his partialities. These are the men who are making the gulf between the two sister communities wider and wider. It is for the House to consider whether immediate preventive steps should be taken or whether the cause of the gulf should be allowed to remain to make it still wider.

Sir, the Government fixed the minimum number for ministerial appointment at 33 per cent. But the irony of fate is that in some quarters it is interpreted as the maximum and in some cases this minimum is crossed most reluctantly and niggardly. Take the case of Noakhali, a district in which more than 80 per cent. of the population is Mussalman. Here, though qualified Mussalmans are abundantly to be found, the percentage did not reach more than 36 per cent.

If more than 80 per cent. get 36 per cent. and less than 20 per cent. get 64 per cent. of the appointment, will you call the distribution fair and equitable? I leave it to you, gentlemen, to judge; yet we are called "the favourite." It is much to be admired that the Moslems still did not deviate from the path of deep devotion and loyalty and exercised self-restraint admirably. They calmly and patiently bore the injustice. Deliberate injustice was done to them not once or twice but several times systematically and regularly.

Sir, I once again repeat that I do not plead to lower the standard of qualification fixed by Government though I find in many cases the standard has been lowered to make room for non-Moslem candidates. I am armed with instances on the point and if any hon'ble member wants, I may cite them. But comparisons are odious and so I refrain from showing them.

Sir, it is much to be regretted that in spite of our repeated demands Government could not be prevailed upon to remove the vagueness of 33 per cent. minimum number by fixing the maximum to be rigidly followed. Government after all fixed 45 per cent. of the appointment in higher services for Mussalmans (though we do not accept the number as adequate), but could not see their way to fix the maximum for other services. Obviously Government's intention does not appear commendable. It further appears that Government do not like that quarrel between the two communities in the matter of appointment should cease. Government are the greatest sinners in this respect. They failed to dispense even-handed justice—they failed to keep balance of power—they sadly failed to give the Mussalmans their legitimate share in public offices. By their action and deeds they showed a lamentable lack of sympathy to uplift the Moslems and to give the

Moslems their most legitimate demands and aspirations. They allowed Moslems no share of the morsels to be enjoyed by others, leaving the Moslems hungry. One section is overfed—another section is hungry and consequently become powerless and powerless. This state of things can no longer be tolerated. Let us fix the ratio once for all. Let us divide the services amongst all the communities according to their numerical strength and root out the affecting bone of contention which is eating our national life at the bottom and stands in the way of our unity and growth of brotherly feeling. The Hindus and Moslems are the two hands of the common body. In a swimming competition, both the hands should be equally developed and strong; otherwise there is no hope of victory. How long will the non-Moslems fight alone? The unemployment question is becoming keener and keener every day and discontentment is rapidly increasing in the Moslem community. This should be checked by all means. Give the Moslems their just dues and they will be peaceful and contented; otherwise darkness is in sight. The pact has been outlined by Mahatma Gandhi. It is no wonder that the hungry and consequently the angry will make best use of it.

Now, Sir, the question is: On what basis the appointments should be apportioned? We cannot make any arbitrary division. We cannot fix any arbitrary number. That will not be accepted. There must be some principle—principle consonant with reasoning. If we take population as the basis, no reasonable and right-thinking man can object to it. Government's future policy in filling up vacancy ought to be on that basis. But Government and the Private Secretary signally failed to follow that policy in the past. This policy, if conceded with, ushers in an era of good-will and mutual trust and augurs well of future good and harmonious government and a peaceful and contented Bengal.

With these few words I beg to put the motion for the acceptance of the House.

Mr. R. N. REID: The mover of this motion has stated that persons other than Mussalmans are being appointed in the Private Secretary's and other offices, and he mentions the Calcutta University and the Forest Department as well. Sir, I will confine my remarks to the Private Secretary's office. In 1926, orders were passed about the appointment of Mussalmans in Government offices, and these orders still hold good. The orders are to this effect:

"That it is the duty of Government to take measures to ensure that there shall be in future a sufficient proportion of Muhammadans in certain of the higher services to ensure that the general interests of the community shall not suffer and that the activities of Government as a whole shall be for the benefit of the whole population; that this proportion shall be fixed not necessarily in accordance with, but on the

basis of, population; that with regard to the subordinate appointments, a sufficient share is allowed to the Muhammadans to encourage the education of the community and to prevent the monopoly of public employment by any one class or community."

5 p.m.

These orders have been carried out. Prior to 1927, there was no Muhammadan in the Private Secretary's office. In August 1927, the addition of one post was sanctioned and a Muhammadan was recruited. In July 1928, on the retirement of a Hindu assistant, a second Muhammadan was taken in. That is the position as regards the Private Secretary's office, and I do not think that Government can be accused of not appointing Mussalmans in the Private Secretary's office.

I oppose the motion.

Leave was then asked by Khan Sahib Maulvi Bazlul Huq to withdraw the motion, but on objection being taken to it, the motion was put and lost.

Mr. NARENDRA KUMAR BASU: Sir, I beg to move that the demand of Rs. 2,800 under the head "22A.—Staff and Household of the Governor—Private Secretary—Hill and Dacca Allowances" be refused.

I also move that the demand of Rs. 3,500 under the head "22A.—Staff and Household of the Governor—Military Secretary—Hill and Dacca Allowances" be refused.

Sir, I am quite sure that every section of this House will agree that this is not the time for any part of the Government or any one who draws public money to go to the hills. Every Member of Government has assured us from his place in the House not only once but every time that he has risen in his place that Government has no money for the necessities of the people, Government has no money for carrying out anything for the good of the people, and that, as the Finance Member has said, the disheartening process of cheese-paring is going on in every department. If the only process by which the officers of Government from His Excellency the Governor downwards can carry on their responsibilities is by taking a few months off in the hills at the expense of the ratepayers, I take it that these officers are absolutely unmindful of the conditions of the poor people of this province. I will not repeat the hackneyed phrase about the Roman Emperor and his musical instrument, but I do say that when the province of Bengal cannot have any of its barest necessities, when the people are dying in large numbers of sheer hunger, it does not look well for the responsible officers of Government to go up to the hills for the sake of pleasure. I do not believe and nobody believes, not even the Hon'ble Members of the Government, that they cannot carry on their duties in the plains during the summer. The I.C.S. officers do not go up to the hills unless they are posted there.

So long as they are mere members of the Indian Civil Service and for 30 years of their service they can carry on in the plains, but as soon as they become advisers of His Excellency the Governor or Secretaries or Deputy Secretaries, I do not know how far down the procession extends, they go to the hills. I see no reason why these officers cannot carry on their duties in the plains as well as they can do in the hills. It has been pointed out times without number that even more responsible officers, I mean the Judges of the High Court, carry on their duties in Calcutta during the hot weather. They go away during autumn when the Government has come down from Darjeeling or are thinking of coming down. If the High Court Judges can carry on their very responsible duties in the summer in Calcutta and if the members of the Indian Civil Service other than the Members of the Executive Council, the Secretaries and Deputy Secretaries can carry on their duties in the plains during the summer, I say there is absolutely no reason why they should go gallivanting every year to the hills for some months at the cost of the tax-payers. I would not mind if they were to go there for a short week-end at their own expense. In the General Administration budget there are items which go up to Rs. 40,650 for hill allowances and still I do not know the travelling allowances of the Hon'ble Members and Ministers and other high officers as they are not shown separately in the budget. The hill allowance of the staff of the Executive Councillors and the Ministers alone comes up to Rs. 1,050, and I am quite sure the rate-payers have got to pay a much higher sum for these honourable gentlemen for going up to Darjeeling. I do not think any speech is required to convince the members of this House that the exodus to the hills is absolutely unnecessary and I think that these two cuts relating to the offices of the Private Secretary and Military Secretary to His Excellency the Governor ought to be accepted by all sections of the House. If they say that His Excellency ought to go to Darjeeling for his pleasure, I do not see any reason why this House should pay any money for it. I, therefore, press these motions.

Maulvi TAMIZUDDIN KHAN: Sir, I think it my duty to oppose these motions. It seems that much can be said in favour of the proposal that for the current year at least the hill exodus can be discontinued, but these motions are mixed up with another question, *viz.*, the question of the exodus of the staff of His Excellency the Governor to Dacca. So far as that is concerned, there is a considerable feeling among the people of Eastern Bengal that His Excellency the Governor should at least once a year go to Dacca. So, we are not able to support these motions.

Dr. NARESH CHANDRA SEN GUPTA: Sir, I will not take up much of the time of the House nor will I say anything except that it would be only decent if the heads of the administration in a time of so

great a stress, when the people have to suffer all sorts of inconveniences owing to economic distress, had shown some measure of sympathy and fellow-feeling with them by abstaining from such a very small luxury as an exodus to the hills.

The Hon'ble Mr. A. MARR: Sir, I should like to draw the attention of the House to the fact that these two motions relate solely to allowances paid to certain members of the Governor's staff and household during the periods of his residences in Darjeeling and Dacca. These allowances are paid to the members of the clerical and menial establishments attached to the offices of the Private Secretary and the Military Secretary. These clerks and menials accompany these officers during His Excellency's visits to Darjeeling and Dacca. Let me take first the Governor's yearly visits to Darjeeling. In past years the exodus to Darjeeling of the Members of the Executive Council, Ministers and other officers has often been discussed in this House, but I cannot find any previous occasion on which the visits of His Excellency the Governor himself to Darjeeling have been challenged or criticised. When the reformed Government was constituted in 1912, the province of Bengal was brought on the same level as the Presidencies of Madras and Bombay and since then has been presided over by a Governor sent out from England. I need not remind the members of this House that these Governors, when they come out, are not altogether young men, and have not been acclimatised to the heat of the plains in India during the hot weather and the rains.

5-15 p.m.

It is also to be remembered that they are appointed for a term of five years, and that they are entitled to only one period of leave during that term. Therefore, it appears to me that it is very necessary for them every year to spend a certain time in a cooler and more temperate climate. It is also important that the Governor should have a certain period of rest after the strenuous work of the cold weather in Calcutta and after his tours in the province. I may also remind the members of this House that the amounts under discussion refer not only to the allowances for the sojourn in Darjeeling, but they also include the allowances paid during the residence in Dacca. Members will remember that at the time of the re-partition and the constitution of the present Province of Bengal in 1912, when Dacca lost its pre-eminence as the capital of a province, the late Lord Carmichael, who had just been appointed Governor of Bengal, promised that the Governor would visit Dacca every year and spend a part of the year there. Since then—I do not think I am mistaken—the Governor has gone every year to Dacca and to some parts of Eastern Bengal. I am authorised by His Excellency the Governor to say that he considers this to be a very important part of his duty and I can say that the Government of Bengal

support him very strongly in this view. I am sure that the people of Eastern Bengal look forward to these visits and they would take it very much to heart if they were discontinued in any year. If it is admitted that the Governor has to visit Darjeeling and Dacca every year, it is unthinkable that he should go there absolutely alone. Every one will admit that, if he is to make these visits, he must be accompanied by his Private Secretary and his Military Secretary. These officers must have certain clerks and certain menials with them. I think it would be very hard on these clerks and menials to be taken away from their ordinary family arrangements in Calcutta and at the same time deprived of these allowances. I, therefore, oppose the motions.

The motions of Mr. Narendra Kumar Basu were then, by leave of the Council, withdrawn.

Mr. NARENDRA KUMAR BASU: I beg to move that the demand of Rs. 38,680 under the head "22A.—Staff and Household of the Governor—Military Secretary—Purchase of motor cars" be refused.

Whatever might be said about the hill allowances, I have no doubt that this motion is a pertinent one. By referring to the Red Book which has been supplied to us by the Hon'ble Finance Member, I find that this provision of Rs. 38,680 has been made for the purchase of motor cars for the Governor who is coming out in 1932. Sir, the ways of the Finance Department are difficult to follow for laymen. So far as we are concerned, I do not think that anybody outside the Finance Department knows who the new Governor will be. But even if the new Governor is not known to us or to the Government of Bengal, it is interesting to note that this non-existent person has sent an estimate of motor-cars which he will bring out with him and for which the people of the province have to pay in prices and Customs duties Rs. 48,000. Probably the sum will be much higher, because these Customs duties are now much higher than what they were when the estimate was made by the Finance Department of the Government. However that might be, I say that in the present financial condition of the country of which we have had references from various Members of the Government, and especially from the Hon'ble Sir Provash Chunder Mitter, I am surprised to see the Government of Bengal asking us to subscribe Rs. 48,000 and odd for new cars for the new Governor. The people of Bengal pay a very high salary to the Governor who is also entitled to a sumptuary allowance and also some outfit allowances for coming out. Over and above that, why we shall have to pay Rs. 48,000 more for new motor-cars, I do not understand. It passes my comprehension. If it is said that the Governor will not be willing to spend his own money on motor-cars and will not be willing to use the motor-cars which have been provided for the present Governor, then I say that a person with such mentality has no business to be our Governor. Let us have a Governor

who is willing to spend money from his own pocket—even if it is Rs. 48,000 spread over five years. As a matter of fact we are on the eve of great constitutional changes and it is just possible that we may have a Governor who would not care to have a motor-car. It is quite in the cards that Sir Provash Chunder Mitter will be the next Governor or for the matter of that Mr. S. M. Bose, the felicitator of Government on all possible and impossible occasions—on all conceivable and inconceivable occasions. They have motor-cars and I do not think they will care to have new motor-cars; but joking apart I really think that it would be very hard on the poor people of Bengal to pay Rs. 48,000 for prospective new cars for the prospective new Governor.

Mr. W. H. THOMPSON: I have been wondering whether the hon'ble mover of this motion has not made rather an important discovery. Against the demand for Excise, the first motion for a cut stands in the name of Mr. Narendra Kumar Basu. In the case of Forests, it is the same. In the case of Registration, he missed it by one but in the present case he has scored Nos. 2, 3, and 4. How is it done? We have in this paper a list of about 800 motions out of which possibly a hundred at the outside will come up for discussion within the time. Has the hon'ble mover of this motion been the first to discover that the way to make sure for having your little joke against Government is to move a cut motion against the first sub-head under each main head? That the member should have discovered this is not so serious a matter. But I fear the danger of putting ideas into the head of the Finance Member. He has got the whole arrangement of the budget in his hands, and he can, if he wishes, change the order of the sub-heads in such a manner that the discussion of all awkward questions may be ruled out. It is fortunate he is not in his seat. He has not in all these ten years fallen into this temptation and as a result we have had the same series of cut motions coming up for discussion year after year, while year after year there have been motions which have been tabled but never been reached. I would suggest that possibly Mr. Marr's Secretary might bring it to his notice so that we may have a greater variety in our budget discussions after some re-arrangement of these heads has been made.

Mr. B. C. CHATTERJEE: On a point of order, Sir. The hon'ble member is reading us a lecture which is not relevant to the motion before the House.

Mr. PRESIDENT: His sole intention, I think, is to amuse the House after its hard labour. (Laughter.)

Mr. W. H. THOMPSON: I very much regret if I have wasted your time, Sir, by digressing in this manner.

We are on the subject of motor-cars for the new Governor. Motor-cars do not go on for ever. Ordinarily we must expect 15 per cent. depreciation per annum. The motor-car which has lasted for five years is not, I fear, fit for use on ceremonial occasions. I do not think it would be polite to welcome the new Governor of Bengal and give him five years' old cars to ride about in. Along with His Excellency there will be Her Excellency who undoubtedly prefers to have a brand new motor-car and to choose its colour herself. Sir, Mr. Chatterjee has found some of my remarks were not relevant, but I submit that they were relevant in this way. I was suggesting that possibly in his eagerness to get in first the mover of this motion had proposed a cut which he himself did not take very seriously. I do not think any member of this House takes very seriously all these proposed cuts regarding the expenses of Government House. The Governor of Bengal is the figure-head of this great province, but he is also the representative amongst 50 millions of people of the King-Emperor. For one or other of these two reasons or for both, I believe all members have a real respect for his office and I do not believe that any member of this House would care to see His Excellency so far reduced in circumstances as to have to go and live in the Bengal Club or ride in a taxi.

Mr. SHANTI SHEKHARESWAR RAY: The real point in this connection is whether the purchase of new motor-cars is a necessity or an extravagance. If it is a necessity, I am sure the House will readily agree to the demand.

5-30 p.m.

If not, I think the House will reject it. Sir, it is not only a personal matter for His Excellency the Governor; it has other bearings also, because if this demand is sanctioned and he indulges in this extravagance during this time of economic distress, his example will be followed by lesser people, for instance, the zamindars of Bengal. (A VOICE: You should not purchase a new car.) No. I may add that my car is very old and it is time to replace it, but owing to the present economic distress, I have deferred purchasing a new car, and I hope His Excellency the Governor will follow my example. (Laughter.)

In the old days when Bengal was ruled by the Nawabs, their example was followed by the zamindars of Bengal. Some of them were rakes and it became the fashion with the zamindars to become rakes. Even now some of the zamindars have become improvident, about which Khan Bahadur Azizul Haque spoke vehemently the other day. I think it is because of the example set by our foreign rulers that they have become so. Sir, they try to imitate the manners of our masters: they give big

parties like the western people and the result is they get into debts. If you make an inquiry, you will find that those who follow old ideals and those who live in the old orthodox fashion do not owe anything to anybody and do not have to go to the money-lenders, and there is no economic distress for them.

Babu SATYENDRA NATH ROY: I am not going to oppose the demand, but I should like to ask the Hon'ble Government Member who will give reply to this motion, whether such provision is made in the budgets of other provinces having Governors. It is only for the purpose of ascertaining what other provinces do that I make this inquiry. I hope the Hon'ble Member will give us this information.

The Hon'ble Mr. W. D. R. PRENTICE: I had no idea that the discussion would take such a humorous turn and would lead to comments on the rakish habits of the zamindars. The facts, however, are very dull and drab. One of the facts is that under the orders of the Secretary of State the new Governor shall be provided with a certain number of motor-cars for the proper discharge of his duties. This order applies to all Governors and is not peculiar to Bengal. The Secretary of State has, however, fixed a maximum scale for the purchase of motor cars for the Governor. If any particular Governor wants to have more motor-cars than what is allowed by his sanctioned scale, or if he wants to have a Rolls Royce or other luxurious cars for his own use, he must pay the excess cost from his own pocket. The number of cars which the Secretary of State has sanctioned as part of the equipment of the Governor of Bengal, is three and these motor-cars are supplied once every five years. If you allow 15 per cent. depreciation on a motor-car—and I think that is a reasonable allowance—then at the end of five years the value of the car will be 25 per cent. of the amount for which it was bought. At the end of the Governor's period, the value realised from the old cars is credited to the province, so that the net cost of the cars during the period of office of a Governor is the initial cost *minus* the amount realised at the end of the fifth year of the out-going Governor. This provision is made, as I have said, in accordance with the scale laid down by the Secretary of State once in five years. His Excellency the present Governor came out in 1927 and his five years will be over in 1932. The identity of the new Governor may not be known to anybody —it is not known to us—but so long as the present constitution remains, there will be a new Governor in 1932 and we have to provide in the budget for these motor-cars for the individual who comes out as Governor. Consequently we have to make this provision in the budget for 1931-32.

The motion of Mr. Narendra Kumar Basu was then put and lost.

Dr. NARESH CHANDRA SEN GUPTA: I beg to move that the demand of Rs. 70,000 under the head "22A.—Staff and Household of the Governor—Band Establishment" be refused.

Sir, I do not think it necessary for me to say much on this matter, on which I had the honour to address the Council last year. This is an annual fixture on the agenda. I do not think my friend on the other side was justified in thinking that we do not mean these motions to be taken seriously, nor is it true that we are lacking in any degree in a sense of respect for the dignity of His Excellency the Governor in bringing these motions. We brought forward these motions in all seriousness. This is only a small item, but this motion has been tabled for the purpose of registering our protest against the idea that the Governor of a province must be clothed in pomp and grandeur. It is an ancient fallacy and the sooner it is done away with the better. In requesting the Governor of the province to live just like an ordinary man we are not showing him any disrespect; on the contrary we are showing him the utmost possible respect according to our ideas. We in India do not look upon the pomp of the court as a thing deserving of respect. Our traditions record the names with the utmost affection of kings who scorned pomp and pageantry and who declined to receive anything from the public treasury for any luxury or even for their personal necessities. I have related to this House the traditions associated with King Bikramaditya and the story of the King Nasiruddin who refused to keep a cook and insisted upon his wife cooking and the answer he gave to his wife was that he was too poor to afford a cook, because his expenses were met out of the income derived from his own labours. Then there is the story of another oriental king, the Caliph Omar, who did not receive a single pice from the treasury for his own use. In moving cuts like this we are asking the Governor to shake off this ancient prejudice and to become just like ordinary man and command much more of our respect and in so far as we expect him to command that respect, I do not think we are showing any disrespect to him.

Mr. I. A. CLARK: Were it not for the fact that Dr. Naresh Chandra Sen Gupta is an Indian, and I am a European I could only say that I am astounded to hear any Indian saying that the people of this country do not like the Governor to be clothed in pomp and pageantry. That to my mind is a most remarkable statement. One cannot help feeling a certain amount of sympathy with the underlying idea of this motion which is to the effect that, in times of stringency any unnecessary expenditure, which may be regarded as on luxuries, should be cut out. But I would just like to draw attention of the House to something which I read this morning. It is this: "In fact the tendency of overlooking Bengal and the Bengalis in connection

with the future constitution of India is pronounced in every circle of Indian politicians. This is deplorable no doubt and the Bengali public will, in the very near future, have no other alternative but to find out ways and means to safeguard their interests even if such ways and means come in direct conflict with the view points of the most powerful figure in the Indian political world." In other words, we must uphold our individuality in Bengal. Sir, I have been in Bengal for a good many years and I am proud of it. I think it is up to every member of this House to try and do everything in his power to uphold the dignity of this presidency amongst the provinces of India. His Excellency the Governor is the human embodiment of the dignity of the province and, in spite of the financial stringency, I would strongly deprecate the removal of one of his perquisites which, after all does not cost a very large amount of money and without which he would not be able to take his rightful place among the Governors of the provinces of India.

I oppose the motion.

The following motion was called but not moved:—

Mr. SARAT CHANDRA BAL: "That the demand of Rs. 70,000 under the head '22A.—Band Establishment' be reduced by Re. 1 (unnecessary expenditure in the present condition of the country)."

5-45 p.m.

MUNINDRA DEB RAI MAHASAI: I beg to move that the demand of Rs. 70,000 under the head "22A.—Staff and Household of the Governor—Band Establishment" be reduced by Rs. 100 (utility of Band Establishment).

Sir, I yield to none in my loyalty and devotion to my King and country, but I do not belong to the class derisively styled "*Jo Hukums*" and the "Standard-bearers of the Bureaucracy," yet I must confess that I felt a certain amount of hesitancy when I was asked to submit the cut motions regarding the band and other paraphernalias attaching to the Governor's establishments. A strong sense of duty, however, impelled me to think that it was only through us that the voice of the people is to be heard in the Councils of the realm, their needs and grievances are to be ventilated, their rights and liberties are to be championed and their wants are to be remedied. The people are in dire distress. They are at the end of their resources. For want of buyers jute is rotting in the fields—paddy is lying undetached from the stalk. It was not a food famine but a famine of money. The raiyat fails to pay rent to the landlord—the landlord his revenue to the State, the capitalist fails to get return for his investment—and the State Exchequer is bankrupt and the Finance Member has come with a deficit budget. Malaria, kala-azar, cholera, small-pox, and tuberculosis are not idle in adding to the miseries of the people. Sir, I had

not the misfortune of witnessing such unprecedented distress among all classes of the community during the last fifty years. In these circumstances, I consider it my duty as a representative of the people to raise my voice against any waste of public funds. Sir, I know His Excellency the Governor to be one of the best and most sympathetic rulers that we ever had. It was undoubtedly our duty to preserve his dignity and prestige by all means. But, Sir, I verily believe that his advisers are labouring under a wrong notion about the real significance of the terms "dignity" and "prestige." May I ask, Sir, does the dignity and prestige of the Governor depend on bands and other paraphernalias of royalty alone? I believe not. With the advance of civilisation and enlightenment the costly splendours of the medieval age are being discarded all over the world. I think, true prestige and dignity rested on the love and affection of the subjects. Sir, if music was indispensable to a ruler, why not engage a band of the best *Nahabut* or *Rasunchowki* that can be heard in the country, which are well worth State recognition and patronage. It would be far less costly and would captivate the imagination of the people and would also be in keeping with oriental ideals of royalty. Sir, on ceremonial occasions the Governor of Ceylon requisition the services of the Lascorin Band of the Kandian Kings of old who appear at Government House in quaint scarlet uniform. I do not know whether it lowered the dignity and prestige of the Colonial Governor of that picturesque island. Sir, is it not the duty of the State to identify itself with the woes and miseries of the people rather than ride roughshod over their feelings and ruthlessly waste public funds in dinner, drink and dancing enlivened with musical bands? Pray do not let the future historian compare it with "Nero fiddling while Rome burnt."

The Hon'ble Mr. W. D. R. PRENTICE: I have much sympathy with the remarks of the hon'ble mover, but it seems to me such a pity when there are so many more important subjects to be dealt with under this head, that we should be discussing year after year the same old things. This question of the Governor's band has been discussed for the last ten years, and about 1925 the question was seriously taken up, as to how far the demand under this head could be reduced. I do not think that the members of the Council and the people of Bengal generally would accept Dr. Sen Gupta's argument that a certain amount of panoply should not attach to the office of the Governor of Bengal. I think the correct thing to say would be that there would be a certain amount of disappointment if this were done away with. (A VOICE: Question). However, the fact remains that the question was first discussed in 1911 or 1912 as to whether the prestige of the Governor of the province demanded a band. It was decided that as the two other Presidency Governors had a band, Bengal should have one also, and I think it would be wise to accept this decision that the Governor

of the Presidency, an important Presidency like Bengal, should be given these facilities for entertaining his guests, his public guests, in the manner in which such high class entertainments are usually conducted. The matter was again discussed in 1925, and the question was then raised as to the smallest expenditure that should be incurred for the upkeep of a band. It was decided that a proper band could not be maintained for anything under Rs. 70,000; if the expenditure went below that it would alter the class of music that could be provided, and that a dance orchestra must be substituted for a band. It was finally settled that the band should be retained, but that the expenditure should not exceed Rs. 70,000, and this figure has been strictly adhered to since. I may say that there is no one more sympathetic towards the difficulties of the province than His Excellency himself; he has given careful consideration to this question, and has tried to see whether the expenditure could not be reduced. He has finally decided that it is impossible to reduce the expenditure on a band below Rs. 70,000 and he does not think that he would be doing his duty to the province were he to agree to the abolition of the band, and to the substitution of a dance orchestra for it.

It is really a question of the pomp and circumstance which should attach to the person of the Governor of this Presidency, and I think the House would be well advised to recognise this fact and pass this demand without opposition.

The motion of Dr. Naresh Chandra Sen Gupta was then put and lost.

The motion of Munindra Deb Rai Mahasai was then put and lost.

MUNINDRA DEB RAI MAHASAI: I beg to move that the demand of Rs. 1,02,000 under the head "22A.—Staff and Household of the Governor—Bodyguard Establishment" be refused.

I also beg to move that the demand of Rs. 1,02,000 under the head "22A.—Staff and Household of the Governor—Bodyguard Establishment" be reduced by Rs. 100 (utility of Bodyguard Establishment).

Sir, "*Raja Prakriti Ranjanat*" was the Hindu ideal of a ruler. The duty of the ruler was to do things pleasing to his subjects, which I believe to be the best means of winning their hearts. To rule over the hearts of the people has been the highest conception of the rulers of men. The allegiance emanating from love and affection was, I think, the best form of loyalty. Upon the happiness, contentment and prosperity of the people depended the glory of the rulers. Sir, the Governor represents His Majesty the King-Emperor and it was certainly a part of our duty to see that nothing was done which would lower him in prestige and dignity befitting his exalted position.

Sir, the object of my motions is to cut down an unnecessary expenditure. The services of these bodyguards are requisitioned only during

ceremonial occasions. Such a huge expenditure on this head during the years of financial stringency cannot but evoke criticism. Had there been a little foresight and imagination, I think the matter could have been managed in a most satisfactory way. Sir, we are of Bengal and the Governor is ours. It was our bounden duty to guard his person and to show him the honour due to royal personages. It was a sacred trust. How splendid had it looked if the University Corps had been reorganised and the services of the best of them in physique been requisitioned to serve as bodyguards on ceremonial occasions. Would it not have added to the dignity and prestige to the Governor to be thus surrounded by the flowers of the University attired in glittering uniform? Sir, trust begets trust. Trust us and it will be reciprocated a hundred times.

Mr. B. C. CHATTERJEE: There is one thing that I would like to make known to the Hon'ble Member. There are two mounted sowars who are always sitting on their horses like two painted figures. We have never seen this sort of thing before the time of Lord Lytton, and I submit it is cruelty to the men who sit like this, and cruelty to the horse as well. I think we might do without that.

The Hon'ble Mr. W. D. R. PRENTICE: I gather that Munindra Deb Rai Mahasai's objection is not so much to the bodyguard as to the class from which it is recruited. I do not think that he means his motion seriously. Anyway, the same conditions apply to the bodyguard as to the band. But I have this much to add that while it is absolutely impossible to reduce the expenditure on the band, I have been authorised by His Excellency to state that he has gone through the budget very carefully, and he has decided to reduce the expenditure on the bodyguard by about Rs. 10,000 during the coming year.

As regards the remarks of Mr. B. C. Chatterjee, I shall convey them to the Military Secretary. I am sure he is not aware of this cruelty.

The motions of Munindra Deb Rai Mahasai were then, by leave of the Council, withdrawn.

6 p.m.

The following motions were called but not moved:—

Mr. P. BANERJI: "That the demand of Rs. 4,12,000 under the head '22A.—Staff and Household of the Governor' be reduced by Rs. 2,03,000."

Mr. P. BANERJI: "That the demand of Rs. 4,12,000 under the head '22.—Staff and Household of the Governor' be reduced by Rs. 1,70,000."

MUNINDRA DEB RAI MAHASAI: "That the demand of Rs. 4,12,000 under the head '22A.—Staff and Household of the Governor' be reduced by Rs. 1,50,000."

Dr. NARESH CHANDRA SEN GUPTA: "That the demand of Rs. 4,12,000 under the head '22A.—Staff and Household of the Governor' be reduced by Rs. 50,000."

Maulvi HASSAN ALI: I move that the demand of Rs. 4,12,000 under the head "22A.—Staff and Household of the Governor" be reduced by Rs. 26,000.

Sir, the object of my cut is obvious. I want to place before the House the necessity of retrenchment of expenditure in every item of the Government, because we are all aware that the country is undergoing a fearful economic crisis at the present moment. Already there are acute distresses in Bogra and some other districts of Bengal. Nobody can exactly foretell what will happen. In these perilous times what the country requires most is the adequate grant of money for famine relief, and medical aid and other allied things. But to our surprise, Sir, we find that the Government is going to spend a heavy sum of Rs. 4,12,000 on the staff and household of the Governor, and only Rs. 50,000 have been allotted for famine relief. This shows, Sir, how the Government of Bengal is apathetic towards the people of Bengal, and this apathy, Sir, cuts at the very heart of the people and it is this which they cannot tolerate. The Finance Member cannot get sufficient money for famine-stricken people of Bengal and he will spend such an enormously heavy sum on the staff and household of the Governor and that, Sir, even by borrowing about a crore of rupees: Very fine thing indeed! I do not say that His Excellency the Governor does not require his secretaries, clerks and servants and other things. Certainly His Excellency requires all these. Yet it is the duty of the Government to see whether the luxury underlying them can be avoided, specially at a time when the country can ill afford them.

At this financial crisis, Sir, every individual, every family of Bengal from the poorest cultivator to the richest zamindar, has been compelled by sheer force of circumstances to curtail his expenses. Is it not but fair and good-looking, Sir, that at such a time the expenses on account of the staff and household of the head of the province should also undergo some curtailment?

The curtailment on this head, Sir, I believe will not minimise in the least the pomp and prestige of the Governor. For, Sir, ours is the country in which plain living and high thinking have been worshipped as an ideal from time immemorial by the poor and the rich, by the kings and the subjects alike.

Ours is a country, Sir, in which the King Bikramaditya lived who used to sleep on mat. Ours is a country, Sir, in which Rajarshi King Nasiruddin once lived who used to earn his livelihood by selling his manuscripts of the Koran, and whose fair Queen once burnt her royal fingers in cooking meal for her royal consort who yet would not concede to encroach upon the Public Exchequer for the employment of a cook. Sir, ours is a country in which the great Vivekananda lived only a few years ago who renounced the luxuries of the modern world.

Sir, ours is a country in which Bibekananda has been the ideal. Ours is a country in which the great prophet the Fakir King Mohammed who used to sleep on mats with brickbats to rest his head on, and who yet laid foundations of an Empire that extended from Delhi to Granada.

Sir, ours is a country in which that half naked fakir of Sabarmati has been the ideal of to-day. But can any body point out that there is any other man in India who is more dignified than Mahatma Gandhi?

I therefore submit, Sir, that curtailment in these expenditures and luxuries of the Private Secretaries, carpets and furniture, bands and various other things will not lessen to a little even the dignity and prestige of the Governor.

The Hon'ble Mr. W. D. R. PRENTICE: Sir, I do not think there is anything of real value in the arguments of the mover of the motion, but I would only point out that carpets and furniture are not supplied for the use of the Private Secretary but for Government House. So I am not prepared to accept this motion.

The motion of Maulvi Hassan Ali was then put and lost.

The following motions were called but not moved:—

Babu JITENDRALAL BANNERJEE: "That the demand of Rs. 4,12,000 under the head '22A.—Staff and Household of the Governor' be reduced by Rs. 7,434."

MUNINDRA DEB RAI MAHABAI: "That the demand of Rs. 4,12,000 under the head '22A.—General Administration—Staff and Household of the Governor' be reduced by Rs. 100 (to raise a discussion on the high salary, emoluments, allowances, etc., of the Governor)."

Mr. SARAT CHANDRA BAL: "That the demand of Rs. 4,12,000 under the head '22A.—Staff and Household of the Governor' be reduced by Rs. 1 (grievances of the depressed classes in the matter of representation on the staff)."

Rai Bahadur KESHAB CHANDRA BANERJI: "That the demand of Rs. 2,000 under the head '22D.—Executive Council—Travelling Allowance' be refused."

Mr. NARENDRA KUMAR BASU, Rai Bahadur KESHAB CHANDRA BANERJI and MUNINDRA DEB RAI MAHASAI: "That the demand of Rs. 650 under the head '22D.—Executive Council—Hill Allowances' be refused."

MUNINDRA DEB RAI MAHASAI: "That the demand for Rs. 17,000 under the head '22D.—Executive Council' be refused."

MUNINDRA DEB RAI MAHASAI: "That the demand of Rs. 17,000 under the head '22D.—Executive Council' be reduced by Rs. 105 (constitutional issue)."

Babu JITENDRALAL BANNERJEE: "That the demand of Rs. 17,000 under the head "22D.—Executive Council' be reduced by Rs. 101 (to raise a discussion as to how far effect has been given to the scheme of Indianization recommended by the Lee Commission)."

Maulvi ABDUL KARIM and MUNINDRA DEB RAI MAHASAI: "That the demand of Rs. 17,000 under the head '22D.—Executive Council' be reduced by Rs. 5 (number of Executive Councillors)."

Maulvi HASSAN ALI: Sir, I beg to move that the demand of Rs. 1,92,000 under the head "22E.—Ministers" be reduced by Rs. 96,000.

The object of my motion is nothing but economy.

The Hon'ble Mr. A. MARR: I rise on a point of order, Sir. In discussing this motion is the member to confine his remarks to the economic and constitutional sides of the question or is he entitled to discuss the question of the policy of the Ministers?

Mr. PRESIDENT: He should confine his remarks to the economic question, because the question of the personality of the Ministers or their policy is not involved in this motion. Motions relating to those points will come up later when he can discuss them, if he likes.

Maulvi HASSAN ALI: We are all aware that the country is in the grip of a very severe economic crisis. It is therefore only fair that the Government should curtail its expenditure in every possible way. In doing so, however, the question of prestige may arise. Some might say that the pay of the Executive Councillors should also

be reduced. By this motion I want to reduce the Ministers' salary from Rs. 64,000 to Rs. 36,000 a year, that is to say, to Rs. 3,000 per mensem. I believe similar reductions in the pay of the Ministers have been made in other provinces in India. In the Central and United Provinces we find that the Ministers are taking a salary of Rs. 3,000 each per month, and I see no reason why in Bengal, which is a poor province, the Ministers should get more. As for the Ministers themselves, I would like to suggest that they should follow the noble example of the Nawab of Chattari who has conceded to take only Rs. 400 per month. He is now a Member of the Executive Council but he was a Minister from 1923 and from that time he was taking a salary of Rs. 3,000 per month. With these words I place my motion before the House.

[At 6-15 p.m. the Council was adjourned for prayer and it reassembled at 6-30 p.m.]

Maulvi SYED JALALUDDIN HASHEMY: I rise to support the motion.

Mr. PRESIDENT: Order, order. I said that I would take up motions 242, 243—245, 246, 254 and 255. The next motion will be 243.

Mr. NARENDRA KUMAR BASU: I beg to move that the demand of Rs. 1,92,000 under the head "22E.—Ministers—Pay of Ministers" be reduced by Rs. 84,000.

I want to fix the pay of the Ministers at Rs. 3,000 a month each. I think it is hardly necessary to speak much in order to commend the motion to the House. The arguments in favour of the reduction of the Ministers' salaries are familiar to the members of the House. Not only on economic grounds but also on other grounds the salaries paid to the Ministers are more than enough in all conscience. It is suggested that it is a matter of prestige; because under the Government of India Act the pay of the Executive Councillors is fixed at a certain sum and that if the Ministers are paid a lower salary their prestige would suffer. I refuse to be frightened by that bogey of prestige and I think very few members of the House would be of the contrary opinion. Let not that bogey of prestige be trotted out in this country where poverty has never been decried—in a country where a "half-naked fakir" leads the whole country and sits across the table with the august representative of the Sovereign, to come to terms with him—in a country where the income of a man is never taken into account in order to place him socially. Let not the members of this House forget that the pay of the Executive Councillors is fixed by Statute largely for the benefit of the Members of the Executive

Council who are members of the Indian Civil Service. It does not matter whether people who have come out to make as much money as they can and in which they are supported by their own countrymen—it does not matter if such people who are supported by a Royal Commission to loot the country as much as they like, get such high salaries. But certainly Ministers who are representatives of the people ought to be satisfied with smaller salaries. It is certainly absurd to say that Rs. 5,333 is a sum without which no Minister can go on. Sir, in addition to the examples cited by my friend, Maulvi Hassan Ali, regarding the Central Provinces and the United Provinces, I would cite the instance of the nearest province of Bihar. There a popular Minister Sir Ganesh Dutt Sing has refused to draw more than Rs. 1,000 as his pay. Has that hurt his prestige in any way or has it enhanced his prestige with the people whom he represents in the Council—people most of whom are half-starved, half-naked not by choice but because they have not the wherewithal to feed and clothe themselves? Is it fair, is it reasonable, is it honest that the Ministers, all of whom are men of means, men born with silver spoons in their mouths, should draw so much salary in the present circumstances of the country?

Mr. PRESIDENT: I do not quite follow you. The Ministers draw their salary under the Statute and you cannot call it dishonest for them to do so.

Mr. NARENDRA KUMAR BASU: I said dishonest in a moral sense—in the sense that they are drawing princely salaries when the majority of their own countrymen are dying of poverty and want. There is no statutory provision for preventing them from drawing a smaller salary. There is nothing to prevent the Hon'ble Ministers to come before the House and say "I will not draw a salary of Rs. 64,000 a year and I am willing to draw a smaller salary."

Mr. PRESIDENT: You had better withdraw the word "dishonest."

Mr. NARENDRA KUMAR BASU: If you think that the expression is unparliamentary I unreservedly withdraw it. Sir, I think it would be the height of wisdom on the part of the Hon'ble Ministers—it would enhance their prestige in the eyes of all—if they get up to-day and say that they are willing to accept a smaller salary. We all know that ever since the Reforms the cost of administration in Bengal has gone up immeasurably. In the place of one Lieutenant-Governor for Bengal, Bihar and Orissa we have now got two Governors and how many Executive Councillors and Ministers I do not know with a few score of secretaries, deputy secretaries and under-secretaries and there

is hardly any money for the purpose of feeding the people or clothing the people and of giving them education or the benefits of sanitation. Is it not the bounden duty of the Hon'ble Ministers in such circumstances to declare that it is not necessary for them to take so much money from the country? Would it not put a tax on the hard earnings of the people? Rupees 3,000 is not a small sum even for Bengal zamindars from which class all the present Ministers are drawn. This is not a question of a want of confidence in the Ministers. This is a question of economy. So far as this side of the House is concerned we expect that the Ministers will get up in their seats individually and declare that they will accept a lower figure for their salary?

The following motions were called but not moved:—

MUNINDRA DEB RAI MAHASAI: "That the demand of Rs. 1,92,000 under the head '22E.—Pay of Ministers' be reduced by Rs. 48,000."

Babu JITENDRALAL BANNERJEE and Mr. P. BANERJI: "That the demand of Rs. 2,13,000 under the head '22E.—Ministers' be reduced by Rs. 84,000."

Maulvi SYED JALALUDDIN HASHEMY: May I with your permission speak in support of the motion of Maulvi Hassan Ali? Sir, as this is only a economic cut the only defence on the part of the Hon'ble Ministers is to say that their status would be lowered if they accept a lower figure. Their status is supposed to be the same as that of the Executive Councillors. But what do we actually find. Is their status the same? We find looking at the Cabinet that the Hon'ble Mr. Prentice is the first-grade Member of the Cabinet and no comparison can be drawn between him and the Hon'ble Khan Bahadur K. G. M. Faroqui. What do we actually see? The Hon'ble Mr. Marr comes second in my estimation. He is the second-grade Member of the Cabinet and if I may be permitted to say so, Sir Provash Chunder Mitter comes next, while the Hon'ble Alhadj Sir Abdelkerim Ghuznavi is the fourth-grade man in the Cabinet. Mr. Prentice can break my head and Sir Provash Chunder Mitter can send me to jail but what can others do. It is they who command some prestige but what Alhadj Sir Abdelkerim Ghuznavi can do to me? The only thing he can do to me is to prevent me from my going to the Sunderbans and to deprive me of the games. Coming to the Ministers I find the Hon'ble Mr. Bijay Prasad Singh Roy is the fifth-grade Member of the Cabinet and is the greatest in the Ministry. I would place the Hon'ble Mr. Khwaja Nazimuddin as the sixth-grade man in the Cabinet and the Hon'ble Khan Bahadur Faroqui is the seventh-grade man in the Cabinet. Sir,

the salaries do not count in judging the status of a man. I know that the manager of a big firm in Calcutta draws Rs. 20,000 a month as his salary and commission—double the salary of His Excellency the Governor. But is it that the status of the manager is greater than the status of His Excellency? Certainly not. It has nothing to do with the salary. Therefore, I say that the Ministers ought to get Rs. 3,000 or Rs. 2,500 a month and that this will not in any way take away their status. I think they ought to remain satisfied with that salary.

6-45 p.m.

Therefore it is high time for them to consider the matter seriously and to accept the salary now proposed by my friend, Mr. Hassan Ali.

With these words I support the motion of my friend, Mr. Hassan Ali.

Mr. E. C. ORMOND: Sir, I am not concerned in setting up any rival scale of salaries for the Ministers nor any rival scale of precedence among them. I am only referring to the speech of the previous speaker, I mean Mr. Narendra Kumar Basu. I am sure that the House will not be moved unduly by the eloquent but purely emotional appeal made by Mr. Basu. The basis of Mr. Basu's argument is that we should take away Rs. 84,000 a year from the Ministers' salaries in order to give relief to the half-starved and half-clad people of Bengal. Sir, if we make this cut of Rs. 84,000, where does it go to? Certainly not to the half-starved and half-clad population of Bengal. Either this will go to swell the balances in the budget or else certain taxes might be lessened, in which case Mr. Basu and other members possibly may be benefited, but certainly not the half-starved and half-clad population of Bengal. Their taxes, if any, will remain the same, quite unaffected by any single cut such as this. Therefore the argument is now a purely emotional one which no sensible member of this House needs support.

Rev. B. A. NAG: Being comparatively a new member of this House I have not been able to follow some of the arguments, especially, the arguments regarding prestige. Just before the reforms were brought about several schemes were before the leaders of the country and I remember these things being discussed under the presidency of the late Sir Surendra Nath Banerjea by the prominent political leaders in Bengal. They all submitted that the salaries of the Ministers should be the same as the salaries of the Executive Councillors, otherwise their prestige would suffer. I am not sure if my friend Mr. Basu, who was a prominent member of the Indian

Association, was there and gave his support to that suggestion, but I am surprised to hear that he does not think that the prestige of the Ministers will suffer if their salaries are reduced. I will give an example, Sir. Personally, when I travel on my own, I never travel upper than second class, but if I have to travel on Government business, I would mind travelling lower than first class, especially when the Secretaries to Government travel first class. My friend, Mr. Narendra Kumar Basu, will perhaps also do the same.

Mr. NARENDRA KUMAR BASU: I travel first class when I travel on my own.

Rev. B. A. NAG: He may have a long purse. I submit, Sir, the question of prestige must be there, and it is because of this question of prestige that I am opposed to this cut in the salaries of Ministers.

Then, Sir, I think it was Mr. Hashemy or probably Mr. Hassan Ali who appealed to the Ministers to work for nothing. I believe that all the three present Ministers are rich enough to agree to work without any remuneration, but they will bar out by their action other persons who might be as able as they but who could not afford to work without pay, or even on Rs. 2,000 or 3,000. Therefore, I hope this motion to cut the Ministers' salary will not be carried by this House.

With these words I oppose the motion.

Dr. NARESH CHANDRA SEN GUPTA: My hon'ble friend Mr. Ormond has been pleased to enlighten this House on a most important economic fact and that is that Mr. Narendra Kumar Basu was hopelessly wrong when he thought that some good would be done to the starving millions of the people if the salaries of the Ministers were refused. He is opposed to this cut because he does not care to swell the balances of the Government. I hope Mr. Ormond has read his budget. The balance which he is so afraid of swelling is entirely negative—it consists of a deficit of a trifle of a sum, a little under a crore of rupees. I suppose Mr. Ormond will not care to reduce the deficit by even a trifling amount. If the deficit remains and if the 94 lakhs cannot be found, it has got to be found by loan. And who will pay the interest of the loan? Well, it comes ultimately to the starving people. Apart from that, apart from the question of directly benefiting the starving people, as I have said before, it is a question of decency. When people are starving, those who drew fat salaries from the taxes of the people, at any rate those who are placed in a position to draw the salaries from the taxes paid by the people,

should think it inconsistent with their self-respect to go on drawing the same high salary as they drew before. That is my view of dignity, self-respect and prestige.

The Rev. Mr. Nag has referred to a high authority—an authority which I respect—in support of the proposition that the salary of the Ministers is inseparable from the question of prestige and a reduction of even one pice from their salary would inevitably affect their prestige. Well, Sir, I am glad he has referred to that. I am glad he has referred to the result of the conference at which the late Sir Surendra Nath Banerjea gave it as his considered opinion that the salaries of Ministers should not be reduced because that would affect their prestige. Does not Mr. Nag remember that that was the grave of the prestige of the late Sir Surendra Nath Banerjea?

Rev. B. A. NAG: Sir, I did not say that that was the view of the late Sir Surendra Nath Banerjea. What I said was that he presided over a conference of political leaders of Bengal at which this decision was arrived at.

Dr. NARESH CHANDRA SEN GUPTA: I had not the honour of being present at the conference and I thank Mr. Nag for correcting me, because this will at any rate improve my old respect for the late Sir Surendra Nath. The leaders, who induced the late Sir Surendra Nath to stick to that resolution, did not serve him well, as he knew to his cost at the next election. The idol of the people was brought to dust, because he considered that prestige lay not in sacrifice but in the figure of his salary. (A VOICE: He never said that.) I am glad to hear this. He was induced to take up that attitude. However, I do not want to take up much time over this question of prestige. It is idle to suggest that the bulk or size of the salary gives one prestige: it is worth which alone gives prestige to a man and not his artificial trappings. The tall man does not require a stilt: a stilt is required for dwarfs to raise them to the height of men.

Sir, then there is another thing which humiliates me. It has been said by the previous speakers that the salary of Ministers in other provinces has been reduced, and in several provinces the Ministers themselves have come forward with motions of cut in their own salary. When this has been done in the rest of India, we in Bengal have the inglorious distinction of finding our Ministers doing nothing in that direction. The Ministers have not only not come forward to move a reduction of their salary as a sign of their sympathy with the sufferings of the people, they do not even come forward to say one word which would re-assure us that after all their hearts are not made of stone. They are content to sit, shall I say, like painted

dolls or tender nurslings sleeping in comfort under the protecting wing of the Hon'ble the Finance Member and resting in the assurance of the comfortable majority that they have got in this House. Sir, that is a position which may be very satisfactory to the Ministers, but that is a position which makes me hang down my head in shame. Bengal has been shamed before the rest of India by this inglorious attitude of her Ministers. While other provinces have gone ahead and shown nobility, our representatives on the Ministerial bench have made us hang down our heads with shame.

Adjournment.

The Council was then adjourned till 10-30 a.m., on Saturday, the 21st March, 1931, at the Council House, Calcutta.

Proceedings of the Bengal Legislative Council assembled under the provisions of the Government of India Act.

THE COUNCIL met in the Council Chamber in the Council House, Calcutta, on Saturday, the 21st March, 1931, at 10-30 a.m.

Present:

Mr. President (the Hon'ble Raja Sir MANMATHA NATH RAY CHAUDHURI, KT., of Santosh) in the Chair, the four Hon'ble Members of the Executive Council, the three Hon'ble Ministers and 118 nominated and elected members.

Starred Questions

(to which oral answers were given).

Death of Radhika Ranjan Bhattacharjee of Mallickpur (Jessore) from gun-shot wounds.

*151. **Mr. K. C. RAY CHAUDHURI:** (*a*) Is the Hon'ble Member in charge of the Police Department aware that the dead body of one Radhika Ranjan Bhattacharjee of Mallickpur in the Lohagara police-station in the district of Jessore was found in Knakul village with gun-shot wounds on his person in December, 1930?

(*b*) If the answer to (*a*) is in the affirmative, will the Hon'ble Member be pleased to state whether any *post mortem* examination was held on the body?

(*c*) If the answer to (*b*) is in the affirmative, will the Hon'ble Member be pleased to lay on the table a copy of the report of the *post mortem* examination?

(*d*) Will the Hon'ble Member be pleased to state whether any police investigation was held in the matter?

(*e*) If the answer to (*d*) is in the affirmative, will the Hon'ble Member be pleased to state what was the result of the police investigation?

MEMBER in charge of POLICE DEPARTMENT (the Hon'ble Mr. W. D. R. Prentice): (*a*) Yes.

(*b*) Yes.

(*c*) An extract from the *post mortem* report which shows the injuries and the opinions as to the cause of death is laid on the Library table.

(*d*) Yes.

(*e*) The police reported that death was due to sheer negligence on the part of the deceased, and their finding was accepted by the Sub-divisional Officer, Narail.

The deceased was out shooting with his brother-in-law in a *dinghy* at the time of the accident, and the motion caused by his jumping from one boat to another, resulted in the gun which was in his brother-in-law's hand going off and wounding him.

Appointment of special constables in the district of Midnapore.

***152. Mr. R. MAITI:** (*a*) Will the Hon'ble Member in charge of the Police Department be pleased to lay on the table a statement showing—

(*i*) how many persons were appointed as special constables in the district of Midnapore; and

(*ii*) when and in what areas they were appointed?

(*b*) Is it a fact that since their appointment as such they were given no duties to perform?

(*c*) Is it a fact that they have been asked to attend the thana daily at a certain period of the day?

(*d*) Has the Hon'ble Member any information as to the breach of peace or riot or unlawful assembly having taken place either previous to or after the appointments of special constables in those areas?

(*e*) If the answer to (*d*) is in the affirmative, will the Hon'ble Member be pleased to state—

(*i*) the nature,

(*ii*) the date, and

(*iii*) the place of such occurrences?

(*f*) If there were no occurrences, why have they not been discharged so long?

(*g*) Is it a fact that several persons were appointed special constables in the town of Midnapore in the month of May last, among whom there were some pleaders and muktears of the local bar?

(*h*) Is it a fact that all the lawyers who were appointed as such, were discharged a day or two after their appointment on the ground that under the provision of the Legal Practitioners' Act they could not hold any such appointment?

(*i*) If so, will the Hon'ble Member be pleased to state why Babu Bona Bhusan Das, a practising muktear of the Midnapore criminal courts, was appointed a special constable in the month of October last and was convicted for disobeying the order?

(*j*) Is it a fact that one Rakhal Chandra Pain, a blind local shopkeeper, aged about 75 years, has been appointed as a special constable?

(*k*) If so, will the Hon'ble Member be pleased to state whether he has been considered fit enough to discharge the duties of a special constable?

(*l*) If not, are the Government considering the desirability of discharging him at once?

(*m*) Is it a fact that the persons other than lawyers appointed special constables in the town of Midnapore in the month of May last were discharged on the expiry of their prescribed period?

(*n*) Is it a fact that a fresh batch was appointed in the month of October last in the same area for a period of three months?

(*o*) Is the Hon'ble Member also aware that the persons appointed as such on the last occasion had no duties to perform since their appointment as there had been no disturbance in the aforesaid area?

(*p*) If so, are the Government considering the desirability of discharging them at once?

The Hon'ble Mr. W. D. R. PRENTICE: (*a*) (*i*) 494.

(*ii*) Between May and December, 1930, in disturbed areas of Sadar, Contai, Tamluk and Ghatal subdivisions.

(*b*) No.

(*c*) Some special constables were ordered to attend the thana daily in the early part of their appointment and later at longer intervals.

(*d*) Yes—both previous and subsequent to their appointment.

(*e*) (*i*), (*ii*) and (*iii*) A list is laid on the table.

(*f*) Does not arise.

(*g*) Yes.

(*h*) No. They were discharged at the instance of the Sessions Judge on the ground that their duties as special constables might interfere with their duties to their clients.

(*i*) Government are informed that Babu Bona Bhusan Das was not practising at the time, so the orders did not apply to his case.

(*j*) One Rakhal Chandra Pain, whose eyesight was defective and whose age was about 68 years, was appointed.

(*k*) He applied immediately for exemption which was granted.

(*l*) Does not arise.

(*m*) Yes.

(*n*) Yes.

(*o*) No. The persons appointed were called on to patrol in disturbed areas where breaches of the peace were apprehended.

(*p*) Does not arise.

List referred to in the answer to clause (e) (i), (ii) and (iii) of starred question No. 152.

SADAR.

Unlawful assembly at School Bazar on 21st April, 1930, leading to assault on police and Subdivisional Officer.

Defiling of co-operative stores in the town of Midnapore on 6th May, 1930, and two other successive *hartal* days.

Assault on police in connection with collection of chaukidari tax at Bamanara, police-station Dantan, on 19th July, 1930.

Attack on Additional District Magistrate at Shyamsunderpur on 24th August, 1930.

CONTAI.

Riot at Gopinathpur on 20th May, 1930. Assault on police at Protapdighi on 31st May, 1930.

Riot at Narandiha on 6th June, 1930, forcing the police to open fire.

Riot at Kharshui on 1st July, 1930, in Contai subdivision in which police was forced to open fire.

TAMLUK.

Chaulkhola riot (Sutahata P. S. case No. 4, dated 3rd October, 1930).

Police accompanied by a special Magistrate went there to arrest accused person in connection with a case of arson (a chaukidar's house was burnt at the instance of volunteers as he did not resign his post). The villagers collected in large numbers and attacked the police. On the orders of the Magistrate present there, the mob was fired upon after which they dispersed.

Riot at Nandanpur (Nandigram P. S. case No. 5, dated 26th January, 1931, under section 147, Indian Penal Code). On 26th January, 1931, volunteers collected men to hold a meeting to celebrate independence day. Police present at the shop warned them that it was illegal. On orders given to disperse, they did not obey but started throwing clods of earth which injured policemen. The case ended in conviction of 24 persons on their own confessions under section 147, Indian Penal Code.

Hât loot at Ram Tarak Hât (Tamluk P. S. case No. 2, dated 6th February, 1931, under section 147/379, Indian Penal Code).

Salt law was broken on 5th February, 1931, in front of the house of a president panchayet in village Aror by a large number of volunteers. They then proceeded to Ram Tarak Hât where they entered the shop and looted them. The above two incidents occurred even after the appointment of special constables.

GHATAL.

Unlawful assembly in Ghatal thana on 15th May, 1930, when the declaration under the Criminal Law Amendment Act was openly flouted by the people.

Rioting accompanied with assault on the police at Bala and Jhakru in Chandrakona police-station, on 29th May, 1930, while the police was engaged in realising fines from the civil disobedience convicts of Kechkapur.

In police-station Daspur on 3rd June, 1930, two sub-inspectors of police were murdered by rowdy mob of civil disobedience volunteers and others while those officers were engaged in dispersing the picketers in Chechua Hât on the hât days. During the investigation of the above murder case on 6th June, 1930, the villagers in a body created an unlawful assembly on the Government embankment opposite to Chechua Hât and later on attacked Additional District Magistrate and Additional Superintendent of Police and other officers at Chechua Hât.

Unstarred Questions

(answers to which were laid on the table).

Librarians in the Education Department.

96. MUNINDRA DEB RAI MAHASAI: (*a*) Will the Hon'ble Minister in charge of the Education Department be pleased to lay on the table a statement showing the following particulars of the librarians in the Education Department of the Government of Bengal—

(*i*) the grade of their service;

(*ii*) the educational qualifications of the present incumbents; and

(*iii*) special training, if any, in the Library service?

(*b*) Are the Government considering the desirability of—

(*i*) having adequate professional training of these librarians either by institution of summer course of training at the Imperial Library, Calcutta University or Dacca University or by sending them to Lahore, Madras or abroad; and

(*ii*) recruiting trained librarians in future?

MINISTER in charge of EDUCATION DEPARTMENT (the Hon'ble Mr. Khwaja Nazimuddin): (*a*) A statement is laid on the table.

(*b*) (*i*) No.

(*ii*) No; but if trained and qualified librarians are available when a vacancy occurs, they will be given preference.

Statement referred to in the answer to clause (a) of unstarred question No. 96 showing certain particulars regarding the Librarians employed in the Education Department, Bengal.

Serial No.	Name and posting.	Grade of service.	Educational qualifications of the present incumbents.	Special training, if any, in the Library Service.
1	2	3	4	5
		Rs.		
1	Babu Gokul Nath Dhar, Librarian, Presidency College, Calcutta.	125—5—150—10—200.	B.A.; read up to M.A.	Obtained his first training in library work in the Imperial Library; then in the library of the Asiatic Society of Bengal where he was a temporary Assistant Librarian for one year.
2	Maulvi A. M. F. Wahhab, Librarian, Calcutta Madrasah.	125—5—150 ..	F.A.; plucked B.A.	Received special training in library work under the direct supervision of Sir E. Denison Ross.

Serial No.	Name and posting.	Grade of service.	Educational qualifications of the present incumbents.	Special training, if any, in the Library service.
1	2	3	4	5
		Rs.		
3	Babu Upendra Kumar Bose, Librarian, Sanskrit College.	125—5—150 ..	Read up to F.A. Passed oral examination in the knowledge of English Idioms and Pronunciation prescribed by the Education Department, Bengal.	Nil.
4	Maulvi Abdur Rahman, Librarian, Islamia College.	100—5—150 ..	M.A., class II in both Arabic and Persian. Passed Final Madrasah Examination (first class.)	Nil.
5	Babu Nagendra Nath Choudhury, Librarian, Krishnagar College	80—4—120 ..	B.A. ..	Nil.
6	Babu Srigopal Banerji, Librarian, Hooghly College.	80—4—120 ..	B.A. ..	Nil.
7	Babu Gour Chandra Chakravarti, Librarian, Chittagong College.	80—4—120 ..	Read up to F.A.	Nil.
8	Babu Kalipada Bhattacharjee, Librarian, Rajshahi College.	80—4—120 ..	B.A. with first class Honours in Sanskrit and M.A., class I in Sanskrit, Group I, first class Kavyatirtha and second class Vyakarantirtha.	Nil.
9	Babu Nagendra Nath Sen, Librarian, Bengal Engineering College.	75—5—100 ..	Plucked Entrance ..	Nil.
10	Babu Upendra Chandra Das, Librarian, Dacca Intermediate College.	75—5—100 ..	B.A. ..	Worked as Librarian for about 6 years in a public library previous to his present appointment in 1920.
11	Babu Paree Chandra Mukherji, Librarian, Bethune College.	75—5—100 ..	B.A. ..	Nil.
12	Maulvi Syed Ali Akhtor, Assistant Librarian, Presidency College.	40—40—45—5/2—70 (efficiency bar)—5/2—100.	Read up to I.A. Knows Persian and Urdu.	Specially trained in the Imperial Library for six months in 1925 under Mr. Chapman.
13	Babu Paresh Nath Pal, Assistant Librarian, Presidency College.	40—100 ..	B. Sc. ..	Nil, except for the training received from the present Librarian of the Presidency College.
14	Maulvi Md. Ismail Hossain, Assistant Librarian, Presidency College.	40—100 ..	B.A. ..	Nil, except for the training received from the present Librarian of the Presidency College.
15	Babu Niradanga Bhattacharjee, Assistant Librarian, Sanskrit College.	40—40—45—2—65 (efficiency bar)—2—65.	B.A. Passed the First Examination in Kavya and Veda.	Nil.
16	Babu Matilal Choudhury, Assistant Librarian, Rajshahi College.	35—35—40—2—60 (efficiency bar)—2—66—5/2—80.	Read up to I.A. ..	Nil.
17	Babu Seshi Kumar Nandy, Librarian and Draftsman, Ahsanullah School of Engineering, Dacca.	60 (fixed) ..	Passed Lower Subordinate Examinations in the Higher Division and Upper Subordinate Examinations in the first division of the Overseer Examination Board.	Nil.

Khan Bahadur Maulvi AZIZUL HAQUE: The Hon'ble Minister in his reply as regards the gentleman No. 2 in the list, the Librarian of the Calcutta Madrasah, states that he received special training in library work. Will he be pleased to state what particular library training he has received?

The Hon'ble Mr. KHWAJA NAZIMUDDIN: I want notice.

Khan Bahadur Maulvi AZIZUL HAQUE: With reference to item 9, Librarian of the Bengal Engineering College, he states he is "plucked Entrance". Will the Hon'ble Minister be pleased to state whether "plucked Entrance" has become a qualification and when was this gentleman appointed?

The Hon'ble Mr. KHWAJA NAZIMUDDIN: "Plucked Entrance" is not a qualification for the post of Librarian but that was his academic qualification.

Khan Bahadur Maulvi AZIZUL HAQUE: Will the Hon'ble Minister be pleased to state when this gentleman was appointed?

The Hon'ble Mr. KHWAJA NAZIMUDDIN: I want notice.

Rai Bahadur KESHAB CHANDRA BANERJI: Will the Hon'ble Minister be pleased to state what are the minimum qualifications for appointment as librarian?

The Hon'ble Mr. KHWAJA NAZIMUDDIN: There are no minimum qualifications.

MUNINDRA DEB RAI MAHASAI: With reference to (*b*) (*ii*) will the Hon'ble Minister be pleased to state whether it is necessary to be a specially trained librarian for these appointments?

The Hon'ble Mr. KHWAJA NAZIMUDDIN: No.

Dr. NARESH CHANDRA SEN GUPTA: Will the Hon'ble Minister consider the advisability of changing the name of librarian for these persons?

The Hon'ble Mr. KHWAJA NAZIMUDDIN: No.

Posting of officers of Bengal Civil Service and Bengal Junior Civil Service.

97. Haji LAL MUHAMMED: (*a*) Will the Hon'ble Member in charge of the Appointment Department be pleased to say whether the members of the Bengal Civil Service and the Bengal Junior Civil Service are not generally required to remain in any district for more than three years?

(*b*) How many members of the Bengal Junior Civil Service in the Chittagong and Dacca Divisions have been retained for more than five years since their last posting in the same division?

(*c*) Is it a fact that the Commissioner of the Chittagong Division evades the Government policy of generally not retaining an executive officer for more than three years by changing his duties, *e.g.*, by appointing a Sub-Deputy as a Circle Officer and then reappointing him as a Certifying Officer or a khasmahal tahsildar?

(*d*) How many officers of the Bengal Civil Service and Bengal Junior Civil Service of more than three years' posting in the Chittagong, Dacca and Rajshahi Divisions have been transferred from those divisions since the last session of the Council?

MEMBER in charge of APPOINTMENT DEPARTMENT (the Hon'ble Mr. W. D. R. Prentice): (*a*) The general policy is not to retain members of the Bengal Civil Service and Bengal Junior Civil Service in one district for more than three years, but the application of this policy is always subject to the convenience of administration.

(*b*) Dacca—17.
Chittagong—17.

(*c*) Government are not aware of any such evasion of their orders.

(*d*) Bengal Civil Service—6.
Bengal Junior Civil Service—3.

DEMANDS FOR GRANTS.

The discussion under the head "22.—General Administration" was then resumed.

Maulvi ABDUL HAMID SHAH spoke in Bengali, the English translation of which is as follows:—

"Mr. President, Sir, a few points emerge from the debates of the past two days on the question of the reduction of the salaries of the Ministers. One is that considering the extreme poverty of the country

they should agree, as representatives of the people, to accept a lower salary. But when the Executive Councillors stick to their present pay, His Excellency the Governor insists on Rs. 70,000 for his band and the desire of obtaining justice on the part of the oppressed people proves to be a source of their financial ruin in the present condition of the country. What guarantee is there that the money saved by reduction will be spent on the welfare of the poor people? The proposed reduction, moreover, will not lighten the burden on the people of Bengal in any way. Considering the situation I am persuaded that the Statutory Commission has done well in allotting to a few of our own men a part of the money of the poor people which is being unjustifiably looted.

The proposed reduction, if carried out, will lower the prestige of the people, for, the Ministers are the representatives of the people.

The same motion for reduction has been moved annually at the budget session in the course of the last ten years, but has there been any instance of a Minister voluntarily accepting a reduced pay, even when some of the present critics were in office? For these reasons I oppose the motion for reduction."

Babu SATYENDRA NATH ROY: Sir, last evening, I had not the slightest idea of speaking on this grant for the Ministers' salaries, but I was rather surprised to find Mr. Ormond and the Revd. Mr. Nag suddenly getting up in defence of the Ministers. Probably Mr. Ormond forgot that this is not the House where we generally find him speaking, but that this is the House on the other side of the road.

Sir, we are not discussing as in the days when the Swarajists were in this Council, the question whether diarchy should continue or not. Rightly or wrongly, the Europeans were pledged in a manner to work the diarchical form of Government. Government had to support it, and if the debate had been on similar lines the Europeans and the Government would naturally speak, but this cut motion is not on that ground, but on the ground of economy. The hon'ble mover of this motion has appealed to the Hon'ble Ministers on various grounds, and although the demand for their salaries has been made by the Hon'ble Mr. Prentice as coming under the head of "General Administration," it is only fair that all the Ministers should reply and speak on this motion justifying the princely salaries they draw. They should not, like children, holding the apron of their mothers, save themselves under the protection of their mother, for the present the Hon'ble Mr. Prentice, or send a complimentary brief to Mr. Ormond or look up to Mr. Travers, the leader of the European group, or Revd. Mr. Nag, who has got to justify his existence here as a nominated member, and it is not the case of officers or clerical establishment who had no right or opportunity or need to justify their salaries, but the case of Ministers

who are present and entitled to speak and enlighten the House with argument. I understand, but I speak subject to correction, that it is the practice in the House of Commons for all Ministers of the Crown individually to move their own salaries. I am throwing this challenge to the Hon'ble Mr. Khwaja Nazimuddin, the Hon'ble Mr. Bijoy Prasad Singh Roy and last, but not the least, the Hon'ble Mr. Faroqui. If they do not speak nobody, not even you, Sir, the President of this Council, can compel them to speak, but their silence will be judged by the public at large, although the salaries would be passed, and the Hon'ble Ministers enjoy the same.

Mr. SYAMAPROSAD MOOKERJEE: I should like to say a few words in support of the motion moved by my friend Mr. Narendra Kumar Basu. At the outset I may mention here that it is not my intention to cast any reflection whatsoever on the personnel of the present Ministry. That question is not before us just now and I will confine my remarks only to the general question involved in the motion now under discussion. The question which strikes me as calling forth an immediate challenge is in reference to the question of prestige. This point was raised by Revd. Mr. Nag yesterday and also by my friend Maulvi Abdul Hamid Shah this morning. It is argued that if an attempt is made to reduce the salaries of the Ministers below what the Hon'ble Members of the Executive Council receive, it will tend to lower the prestige or affect the position of the Ministers. With regard to the question of the salaries of the Members of the Executive Council it is a well-known fact that those Members in charge of the Reserved subjects have a constitutional right to act in an irresponsible manner. They are not responsible to the House and their salaries are outside the scope of our jurisdiction. They are like so many untouchables, if you would like to use the expression, as far as their salaries are concerned. But if an opportunity is given to the House to express its opinion on the salaries which are received by the Hon'ble Members on the Reserved side, I have no doubt the House will give the opinion that not only in view of the present financial position of the province but for general reasons also the salary of Rs. 5,333-5-4 is certainly not what they should get. About the question of prestige I would like the Hon'ble Ministers themselves to consider what is happening in other provinces in India. A great statesman coming from Bombay, the late Mr. Gokhale, once said that what Bengal thinks to-day the rest of India will do to-morrow. What is the position to-day? From a reference to the Civil List, I find in Bombay the Members of the Executive Council receive Rs. 5,333-5-4, the scheduled rate, and the Ministers receive Rs. 4,000. Coming to the United Provinces I find that the salary of the Members of the Executive Council is at the same figure, *viz.*, Rs. 5,333-5-4 but the Ministers at their own suggestion—I would ask my friends to bear this in mind—draw Rs. 3,000 only.

I may mention here that even a Member of the Executive Council of the Government of the United Provinces, the Nawab of Chatari only the other day generously offered to accept only Rs. 3,000 although his salary was not subject to the vote of the Council. I know the Members of the Bengal Executive Council are incapable of such sacrifice, and neither do we expect it of them. I would confine my remarks to the Ministers for the time being. Coming to the Central Provinces I find that the salary of the Members of the Executive Council is Rs. 3,500 and the Ministers themselves accepted Rs. 2,500 only two weeks ago as decided by the local legislature. So there is nothing in this issue which has been raised by some members that the Hon'ble Ministers will lose their prestige if they receive a salary less than that of the Hon'ble Members of the Executive Council. What is this prestige? Is it prestige in the eyes of the public? Or, is it prestige in the eyes of Government? If you look at the names of members of the Ministry of the Governments of Bombay, United Provinces and Central Provinces, you will find that they have not suffered any loss of prestige in the eyes of the public; rather they are extolled for the self-sacrifice they have displayed. As far as one of the Ministers of the Bombay Government is concerned, although all of them receive Rs. 4,000 only, *i.e.*, Rs. 1,500 less than the Members of the Executive Council, his prestige has not suffered in any way in the eyes of the Government itself for I find he has been Knighted by His Majesty for services rendered to the State. I would also refer for a moment to the general question which has been before the public for many years past. When the late Sir Surendra Nath Banerjea, of hallowed memory, started a vigorous campaign, before many of us in this House were born, for securing the Indianisation of the public services, I think one of the chief reasons he put forward was that such a policy, if carried into effect, would result in economy without any loss of efficiency. It was urged that the European Members of Government have to travel 6,000 miles from their homes for the salvation of the Indian people (and incidentally for their kith and kin) and must have to be compensated for the sacrifice involved. On the other hand, if Indians were appointed to these high posts under Government, it was urged by late Sir Surendra Nath Banerjea, it would certainly immediately result in drastic economy, as a son of the soil would not demand the same salary as a European Member of Government service would claim.

(A VOICE: What about the Calcutta Corporation?)

The hon'ble member knows better about the Corporation than I do. So far as this contention is concerned, well, of course, the late Sir Surendra Nath Banerjea was criticised by the public, as he did not follow the same principle in his own case when he was one of the first Ministers under the Reforms scheme. But the principle was a salutary

one and, it is still there. I would ask my friends the Ministers to consider this question from this aspect. The present Ministry may be a short-lived one or a long-lived one; but if the Hon'ble Ministers would rise equal to the occasion and themselves offer to accept a salary less than the scheduled rate—they can all afford to do so in the present instance and a sum of Rs. 3,000 is a decent sum—I am sure they will establish for themselves an imperishable reputation, their names will live in the history of Bengal as persons responsible for setting a tradition of self-sacrifice which will be followed by Ministers yet to come.

Babu SATISH CHANDRA RAY CHOWDHURY: I feel a little embarrassment in speaking on this motion because I find that the House is divided and I shall not be surprised if some people may not think that the matter might turn into a communal question. Another ground for my embarrassment may be that while we know that we can, by a vote of this House, reduce the salary of the Ministers, we cannot reduce the salary of the other Members and we cannot go very far, in effecting that retrenchment in this top-heavy administration which the present condition of the country demands and has always demanded. But in spite of that I would be failing in my duty to the people of Bengal and my friends on this side of the House if I did not join my voice with those of the other members who have spoken. I would ask the Hon'ble Ministers to remember that this is not at all a vote of no-confidence. On the contrary, I believe it is really a vote of confidence if they would accept it. Because we have that confidence in them that they will rise equal to the occasion, being elected members of the House, and also being our real representatives, in this the most critical hour of the history of our country. What we are really attempting is to effect all the retrenchment we can which we can touch by vote or otherwise. We are not certain, we do not know how the money thus saved will be utilised, whether it would be divided by Government or whether it will be given to Mr. Prentice for his Police. How it will be used we have no means to know. But in spite of that we believe that we have got a clear duty to discharge in this connection. That duty is nothing more or less than that we, on this side of the House, feel for the poor people of Bengal who are now passing through very difficult times. At this moment when the angel of death is flapping its wings over vast areas in Bengal we cannot sit idle and show no desire to do anything.

11 a.m.

By demanding that our Ministers should surrender a part of their salary I quite admit that what we are asking for will be a mere flea-bite in the way of relief. I am sure the Hon'ble Ministers will rise equal to the occasion and will voluntarily give up a part of their salaries which will be an object lesson to other Members of Government,

who may follow their example and follow in their wake, or for ever lose the confidence of the people for which they really hanker and which they really desire. Such cut motions in the salary of the Ministers were brought forward at other times by our predecessors but we are not doing so in the same spirit. It is a known fact that we are not out here to wreck the Ministry, but at the same time we all feel that at a time when we are financially in a critical position, when, I find, that the budget that has been presented by the Hon'ble Finance Member eloquently speaks of his failure to tackle the problems, we have got really to see if there are lines and ways by which—even if the budget cannot be wholly balanced—at least a good deal of retrenchment can be effected and the money thus saved be devoted to give relief to the people.

The Ministers of the present day are moreover in a favourable position; they all belong to the class of the much-maligned zamindars.

Mr. PRESIDENT: Better not drag any particular class or community into the debate. It is not necessary.

Babu SATISH CHANDRA RAY CHOWDHURY: What I mean to say is that they can afford to part with a portion of their salary without feeling the pinch of want and poverty. It is for this reason that we are making a special demand upon them that circumstanced as they are, if they like they can come forward and show by their example that they feel as much as we do for the people of Bengal in these critical times, when something ought to be done in order to give this much-needed relief. With these words I beg to support the motion.

Babu JATINDRA NATH BASU: I have every sympathy with the desire for economy manifested by some of the speakers who have preceded me. But the method they have adopted is hardly such as would attain the object they have in view. A stray cut here and a stray cut there will not relieve the financial stringency from which this province is suffering. An administrative system has been built up during past years which is so cumbrous and expensive that the resources of the province are to a great extent swallowed up in the cost of working the system. With the balance left it is difficult to do development work of which we are so much in need. The motions now under consideration do not deal with the real trouble from which we are suffering. By such isolated attempts the object in view cannot be attained.

My friends have probably forgotten the policy underlying the fixing of the salaries of Ministers. When the Bill, which was ultimately passed as the Government of India Act, 1919, was under the consideration of the British Parliament, it was known that the system under

discussion for the provinces was the system of diarchy, and that there would be Ministers in charge of some of the departments. The public in India stated their views in no uncertain terms. It was unanimously urged by all sections of public opinion that as regards pay, privileges and status, the Ministers should be exactly in the same position as the Members of the Executive Council. Parliament appointed a Joint Committee of both Houses to consider the provisions of the Bill. That Committee recorded the evidence of a large number of Indians. The most advanced political opinion in India was represented before that Committee. Bal Gangadhar Tilak was then one of the foremost leaders of advanced Indian opinion. He had suffered more than any man of his time for his political views. After his death, when Mahatma Gandhi raised the largest fund ever raised in India for political work, he called it the "Tilak Swaraj Fund" in order that it might attract the widest support. Bal Gangadhar Tilak appeared before the Joint Committee of Parliament and urged amongst other things that the pay of the Ministers must be the same as that of the Executive Councillors. While there has no doubt been occasion to take exception to the system of diarchy, no occasion has arisen to differentiate between Executive Councillors and Ministers. The considered opinion of veteran politicians should not be brushed aside so lightly as these motions intend to do. I oppose these motions.

Maulvi ABDUL HAKIM: Sir, on the reasons adduced by my friend Maulvi Hassan Ali and some others, I cannot support his motion regarding the reduction of salaries of our Ministers. I cannot understand why we should fall only upon the Ministers. There are many other big administrators and officials in the province who are drawing salaries in thousands, and I cannot understand why they will not share the same fate with these Ministers. If the salaries of all these big administrators and officials from the Governor-General down to the Civilians are reduced, I would have been glad to accept his motion and the Hon'ble Ministers also would not grumble on account of such a motion. If the mover could include within his motion at least the Executive Councillors who are drawing salaries not less than our Ministers and who have taken their seats by the side of the Ministers a few cubits off from the mover, there would be no question. Of course there is economic distress all over the country, but there is no certainty that this reduced amount will go to the fund of Mahatma Gandhi or to any other fund for the benefit of the poor people. On the other hand I have every reason to fear that such money may go to the department of the Hon'ble Mr. Prentice for punishing or breaking the heads of the Satyagrahi patriots of our country. If the Hon'ble Finance Member Mr. Marr declares now on the floor of the House that this money will go to the fund of Mahatma Gandhi, the greatest friend of the poor, or to the help of the poor cultivators, I might support this motion. Two

Ministers have accepted the pledge of the Praja party of this Council to help the cause of the tenants and have given assurance to promote the cause of the poor public with proper funds from their income. If the Hon'ble Ministers willingly give up a part of their salary, that is another matter. Under these present circumstances I request my friend to withdraw his motion on this occasion.

Khan Bahadur Maulvi AZIZUL HAQUE: I desire on behalf of the Praja party to give expression to the views with which this question is looked at by them. We consider that there is ample scope for retrenchment all round in all salaries that are being paid at the top. We also consider that probably at no distant time Bengal will have to face the problem of retrenching in a drastic manner the salaries of all the highly paid officers and administrators. That being the accepted view of the party we are faced with a difficulty as to whether this question should be tackled as an independent one detached from the general question of retrenchment. The question was discussed threadbare and we also felt that there was a considerable volume of opinion to the contrary that this question of Ministers' salary and the salary of the Executive Councillors should be taken together. As Mr. J. N. Basu has pointed out Indian opinion in the past and to some extent in the present is that in the present circumstances it would not be desirable to make a differentiation between the pay of the Executive Councillors and that of the Ministers. While the reasons adduced do not convince many of us we feel that there is that opinion and with that opinion before us we feel considerable difficulty in coming to a different conclusion on this matter. Our deliberate conclusion has therefore been that the time has come when Bengal must take a definite step in fixing the salary of its highly paid administrators. But we feel that this question of Ministers' salary should not be taken up as an independent question leaving other questions untouched.

Mr. NARENDRA KUMAR BASU: Very unfortunate.

Khan Bahadur Maulvi AZIZUL HAQUE: Yes, we feel that it is unfortunate that these questions cannot be taken up to-day. I hope that Mr. N. K. Basu will not be disappointed if he read the political signs of the time correctly, *viz.*, that these things will come to an end sooner or later, and sooner, if I am correct.

Rai Bahadur KESHAB CHANDRA BANERJI: Sir, so much has been said on the subject that I consider it hardly necessary for me to dilate on the same. In rising, however, to speak on the question before the House, I desire to interpose a few remarks from the practical point of view. The motions of Mr. Hassan Ali and Mr. Narendra Kumar

Basu are quite sensible as far as they go. I am in full agreement with them so far as the question of effecting economy in expenditure is concerned. I would remind the hon'ble movers of the motions and those who have supported them that the motions, if carried, would amount to an expression of no confidence in the Ministers. If the intention of the hon'ble movers was to criticise the present Ministers, it would have been better if they had brought forward a no-confidence motion. In that case, they would probably have found many supporters. It is always better to give a clean fight than to resort to constant pinpricks with the Ministry. If we want the Ministers to do some tangible work, we must co-operate with them and not keep them in a state of suspense about their own existence. If the Ministers are considered to be not up to the mark, they should be removed by all means but———

Mr. NARENDRA KUMAR BASU: On a point of order, Sir. If the Rai Bahadur were here when the motions were moved, he would have heard that we made it perfectly clear that there was nothing in the nature of no confidence in these motions against the Ministers.

Rai Bahadur KESHAB CHANDRA BANERJI: I was here, Sir, when my friend Mr. Basu spoke and I am coming to it presently. What is the use of bringing forward motions like these which, judging from the temper of the House, are not likely to receive substantial support? I hope I shall not be misunderstood. I am not here to defend the Ministers. What I mean is that straight fight is always better—no useful purpose is served by hitting one below the belt.

Sir, we have been accustomed to listen to proposals for the reduction of Ministers' salaries since the days of Adam and Eve; the same thing may be said about the reduction in the number of Ministers. All these may sound very well but are not likely to serve any purpose other than that of playing to the gallery.

Mr. NARENDRA KUMAR BASU: Sir, on a point of order. Is the expression "playing to the gallery" permissible? Is that a Parliamentary expression?

Mr. PRESIDENT: It has no doubt a sting behind it, but you cannot rule out such expressions altogether.

Rai Bahadur KESHAB CHANDRA BANERJI: Sir, my hon'ble friend Maulvi Syed Jalaluddin Hashemy entertained us last evening with an exhilarating speech indicating the position each Minister occupies in the Ministry and in the Cabinet. According to Mr. Hashemy

the Ministers occupy the lowest place in the Cabinet—one of them the seventh place. If that is a fact, then why not put in first class men there and why allow men of inferior calibre to continue in office even for a day? If it is the object to improve the quality of the Ministry will any useful purpose be served by following a course which will be of no help to secure the object in view?

Sir, it was only the other day that Rai Haridhan Dutt Bahadur moved a resolution to increase the number of Ministers to four by reducing their salaries. Dr. Naresh Chandra Sen Gupta in his amendment suggested that the salary of each Minister should be reduced to Rs. 3,000 while Mr. P. Banerji opined that the number of Ministers should be reduced to two effecting thereby a retrenchment in expenditure; but to our great surprise the resolution was ultimately withdrawn. Now the same question of reduction of salaries has come up again. I think instead of pursuing the question further, we should leave it to the good sense of the Ministers themselves instead of courting a defeat.

11-15 a.m.

Mr. J. N. GUPTA: Sir, I must confine my observations to the remarks made by the leaders of the Praja party and the People's party. I hope they have consulted that section of the people whose interests they represent in this Council. This is admittedly a question of bringing about the much needed economy in the present upkeep of the administration; there is no difference of opinion on that point. The only question that has been raised and discussed is that if we reduce the pay of the Ministers we shall lower their prestige in the eyes of the public and Government. That point has been so effectively dealt with by my friend Mr. Mookerjee that it is not necessary for me to say anything more. He has shown that far from losing the respect of the people those who in other parts of India have voluntarily given up a portion of their salary have risen in the estimation of the public. I am quite sure that none of us who represent the people will for a moment say that that is not the feeling. I make bold to say that we must make a beginning to pave the way for a national government by asking the Ministers to accept a lower salary. We are demanding this not because we have no confidence in them—it is not a personal matter—but because it is a very important constitutional matter having regard to the stringent financial condition of Bengal. They should not lag behind, but follow the example of self-sacrifice and public spirit that has been shown by our brethren in other provinces of India. We have lost ground and we should not continue to neglect our duties in a manner which will make us look small in the eyes of the public. It has been said by my friend Khan Bahadur Maulvi Azizul Haque, the leader of the Praja party, that in the near future there will be drastic changes,

but those changes are not in our hands. Let us do whatever we can now with a clean conscience. With these words I would support the motion with a request to the Ministers that they should voluntarily agree to accept a lower pay than what they are drawing at present. I hope that before the motion is put to the vote the Ministers will give expression to their views on the matter.

Mr. H. S. SUHRAWARDY: It has been our consistent experience that all the fury of economy and retrenchment, all the pent up scorn, all the studied sarcasm, all the cynicism, the general fury and hostility to the constitution come on the surface year by year on the debate regarding the Ministers' salaries. And in the holy name of self-sacrifice fallacious arguments are poured forth annually replete with venom. Whatever justification may have been for this attitude in the past, there is none for it to-day. For the parity of pay depends on the constitution which we trust will be thoroughly overhauled. Voluntary reduction of pay depends or should depend on the individual taste of the Ministers but this taste is developed by environment and the force of circumstances. In other provinces presumably the atmosphere had been created which called forth from the Ministers that measure of self-sacrifice. But the atmosphere and environment here challenge the reverse. We have made the Ministers what they are—the history of Ministry in the past gives us little scope for a call for that self-sacrifice. I do not know whether the Hon'ble Ministers can afford a reduction. I do not know anything of their private life and funds which seems to be such an open book to so many members of the House. And hence let us turn to other matters less personal and more dependent on principle. I will turn to the main question of prestige; that it is not the pay that determines the prestige of the incumbents. I cannot but regret that ordinarily it does. Prepared as we are to fling epithets at the Ministers, and at the very institution of the Ministry, we would have been the first to ridicule them as glorified clerks and with some show of justification had they drawn a lesser pay. Perhaps the Ministers in other Councils have to suffer such gibes; certainly they would have been subjected to them if their members were like ours. Again, prestige is subjective and I leave it to the individual member to search his heart and say to himself, not loudly to a gallery that would disapprove of such statements, if wealth, money, pomp, the curved dagger, the red and gold, do not all contribute to the prestige of the Minister. There is a further fallacy in the argument, the prestige is not the prestige of the incumbent that is preserved by the constitution, it is the prestige of the post. I will refrain from making any special reference to arguments that their pay is some compensation for mental worry, annoyance, shattered reputations, anxiety, self-abasement and the like to which we subject our Ministers. I will revert to the question of prestige. That falls ill from the lips of Mr. Narendra

Kumar Basu and Dr. Naresh Chandra Sen Gupta. Have they so soon forgotten the controversy that raged in precincts over the way? Have they so soon forgotten how little by little they have made deliberate attempts to appropriate to themselves the rank and the prestige of a barrister? Do they confess that they are little men who need stilts? What did it matter if there were two classes; barristers and vakils? Why did my friends insist on tarring all with the brush of the advocate? If prestige does not depend on externals. why did my friends desire to appropriate the band and the gown of the Counsel, which is not merely a professional dress, but one awarded as the uniform of the degree and why, failing it, have they wanted a black gown that may be mistaken for a barrister's robe, if it is not for prestige? Why have some of them in their mortification gone back to the blue gown if not permitted to wear the barrister's robes? Why does my friend Mr. Narendra Kumar Basu travel first class if it is not for prestige? Why do they insist on their gold mohurs being computed at Rs. 17 as is the practice on the original side for barristers rather than sixteen rupees as has been the practice on their side for ages past, if it is not a question of prestige? I should like to see them accept the sixteen rupees first, before they decry that pay is not relevant to prestige, that monetary parity is not a criterion. Are these the things that make prestige or not? If they did not, then why did the class that produced a Sir Rash Behary Ghosh, a genius among jurists and a prince amongst men, have to resort to such measures to keep up their prestige? Do you think the prestige of Sir Rash Behary would have suffered but for these trappings that came after his death, or did it suffer because he did not put on a band or a barrister's gown, or compute his fees at Rs. 17, instead of in thousands.

Let us leave this question here and turn to one other aspect of the argument. It has become the custom whenever we take up a question of retrenchment to draw a devastating picture of the miserable state of this province and discuss little about the merits of the demand. This, I am afraid, turns a real tragedy into a farce. If members are really so anxious for retrenchment, why not go in for something which is really obnoxious, wasteful and harmful. Why not concentrate and force Government not to waste more money on the Damodar Canal? What has been wasted on it is a sin, and the sin grows with the waste. That would give us a clear Rs. 14 lakhs. There is no urgency for the measure and in the light of a better appreciation of irrigation principles it is sure to be abandoned. But I found no discussion on the subject, except attempts at a little pruning here, a little cut there, and baneful venomous spiteful eyes turned at the Ministers. These critics are alleged constitutionalists and not swarajists, hence they cannot vote for the abolition of the post, logically; but the unconstitutional strain is there—underneath the surface, hence an attack on the pay is made to arrive at the same ends. I, therefore, Sir, beg to oppose all the motions.

11-30 a.m.

Mr. W. L. TRAVERS: Sir, a great deal has been said about the question of prestige. I myself was a member of the Legislative Council before the Reforms and I remember—if my memory does not fail me—that in one of the sittings of the old Council held in Dacca a resolution was moved by my old friend Babu Kishori Mohan Chaudhuri to the effect that Ministers should be accorded the same pay, the same privileges and the same position in every way as Members of the Executive Council. That resolution was passed unanimously and I take it therefore that that is one of the reasons why under the Reforms when Ministers came into office they were given this pay which they have been getting ever since. To call for a reduction in the pay of the Ministers now is to put them in a very awkward and inviduous position. It is quite true that the hon'ble movers who have tabled the motions stated that they were actuated by motives of economy and there is no question of a want of confidence in the Ministers. But I may remind the Council that a reduction in the salary of the Ministers, if it is carried by the Council, would be taken nevertheless, by a certain section of the people in the province, as a vote of want of confidence in the Ministers. On the general question as to what the salary of the Ministers should be, I think that we should not pay our Ministers a lower salary than is paid to Ministers in any part of the Empire. I think we should have the very best men that we can secure as our Ministers and taking into consideration the chances of earning that are offered in the professions I think they should be given a high salary. As to what the salary actually should be, I think we had better leave it to be settled by the Council under the new constitution. This is one of the points which should come up at the Conference. At the present moment, it would be most unfortunate to reduce the salaries of the Ministers. So I would leave it over to the new constitution.

Mr. P. N. GUHA: Sir, Mr. Narendra Kumar Basu has made it abundantly clear that it was to effect economy that he moved his motion. He wants to save Rs. 84,000 of the people's money by making the Ministers agreeable to accept lower salaries. That is all right and I am glad to find my friend Mr. J. N. Gupta supporting the motion on the same ground. Sir, it is said that charity begins at home and I am curious to know if Mr. Gupta has done the same. I would therefore like Mr. Marr to tell the House if Mr. Gupta has already written to him requesting the stoppage of his pension at least so long as he holds his present appointment on rather a fat salary.

Sir, you have on more occasions than one allowed us to settle matters by negotiation. If I get your permission I can undertake to settle the present issue by negotiation as well. Mr. Basu wants to

save Rs. 84,000 but I think I can point out the way in which much more money can be saved. Sir, I find that Mr. Marr has budgeted Rs. 50,000 for the travelling and halting allowances of the mufassal members of this House. If my friends forego their allowances, I undertake that I shall make each Minister agreeable to accept Rs. 1,000 less. This will save Rs. 50,000 *plus* Rs. 36,000 and give the figure of Rs. 86,000 which will give us Rs. 20,000 more than what is wanted by my friend Mr. Narendra Kumar Basu. I very much appreciate the motive of Mr. Basu but I do not realize why the Ministers alone should suffer. If the members who received Rs. 10 a day as halting allowance in addition to double first-class, forego their claim, I am sure the Ministers will cheerfully agree to have their salaries reduced.

Babu SATISH CHANDRA RAY CHOWDHURY: I am one of those mufassal members who get double first-class and Rs. 10 a day. I declare on behalf of myself and my friends here that we are quite willing to forego the double first-class for a lower class travelling and accept Rs. 5 instead of Rs. 10 as halting allowance. I may even go so far as to declare that we are prepared to take nothing if the Hon'ble Ministers would forego a part of their salary.

[There was an uproar in the Council at this stage amidst which Rai Sahib Panchanan Barma said that Babu Satish Chandra Ray Chowdhury had no authority to speak for other members. Mr. W. L. Travers said that he was not prepared to forego his claim on travelling and halting allowances. Mr. P. N. Guha said that he would undertake the negotiation if the members were unanimous.]

Mr. PRESIDENT: I would be obliged if you carry these negotiations behind the walls of the Chamber. (Laughter.)

Khan Bahadur Maulvi AZIZUL HAQUE: May I inform the House that Mr. Guha has failed in every negotiation he had undertaken.

Rai Sahib PANCHANAN BARMA: Mr. Guha does not represent any of us in the Council.

Mr. P. N. GUHA: Sir, if nobody is willing to forego his claim why should the Ministers do so? If Mr. Narendra Kumar Basu wants to effect economy, there are various other ways for doing so. There are unnecessary items of expenditure in every department, why not look into them?

The Hon'ble Mr. A. MARR: The House has been discussing at some length the motions moved by Maulvi Hassan Ali and Mr. Narendra Kumar Basu for reducing to some extent the salaries of Ministers. Certain acrimonious matters here cropped up in the

course of the debate, but I do not propose to enter into them at all. On the other hand, we have had a very amusing speech from Mr. H. S. Suhrawardy dealing with the question of prestige. I cannot do better than leave that speech with you as it is. Mr. Narendra Kumar Basu and certain other speakers have made personal appeals to the Ministers. This is a matter with which I have nothing whatsoever to do. My remarks will be confined strictly to the constitutional aspect of the question. Very few members have referred to the history of this matter and that is a point of which I should like to remind the House. Mr. Travers touched on this when he referred to the resolution which was moved in this Council—I mean the predecessor of this Council—in a session at Dacca. That was the first stage. The Revd. Mr. Nag has reminded us of the next move when the late Sir Surendra Nath Banerjea presided over a conference which discussed various matters of which this was one and the decision come to was that the Ministers should receive the same salary as the Members of the Executive Council. Mr. J. N. Basu spoke of the next stage in the discussion of this matter, that is to say, he mentioned what happened before the Joint Committee of the Houses of Parliament. I would just repeat what he reminded you of, namely, that before the Joint Committee of both Houses of Parliament on the Bill which subsequently became the Government of India Act of 1919, representatives of every shade of political opinion in this country were insistent in demanding that there should be no difference between the pay of a Minister and that of a Member of the Executive Council. I should like to remind you of the names of some of those who were insistent in making this demand. They were Mr. V. J. Patel, the *ex*-President of the Legislative Assembly, Mrs. Besant, an *ex*-President of the Indian National Congress, Mr. Jinnah, the Right Hon'ble Srinivasa Shastri, Pandit Madan Mohan Malaviya, the late Mr. B. G. Tilak, the late Pandit Motilal Nehru and Mr. Fazlul Haq. The non-official members of the old Bengal Legislative Council, in their report on the Montagu-Chelmsford Reforms Scheme, also demanded that the status, privileges and emoluments of Ministers should be the same as those of the Members of the Executive Council. Since then there has been from time to time some demand in certain quarters for a reduction in the salaries of Ministers. Such a resolution was brought forward in this Council for the first time in February, 1921, when among those who opposed it at the time was Kumar Shib Shekhareswar Ray who made a strong plea for not singling out the representatives of the people in the Government as the first victims of the policy of economy in public expenditure. I would remind the House that on every occasion on which such a resolution has been brought forward, the House has finally decided against it—and in my opinion rightly too. The Ministers and the Members of the Executive Council are parts of one Government appointed to carry out similar functions and up to now this Council

has always decided that so long as Members of the Executive Council remain, it would not be desirable from the political point of view to give a lower salary to Ministers.

I have one more word to add. Mr. Suhrawardy and Mr. Travers have both reminded the House that the present system of Government has not very much longer to live—a year or two or at best three years and then you will have a new Government when the question of the salaries of the Ministers will be an important matter for discussion. I therefore ask the House to adhere to its previous decisions and to leave the salaries as they are.

Maulvi SYED JALALUDDIN HASHEMY: Sir, I appeal to the Hon'ble Ministers and I hope they will respond to our appeal.

The following motion of Maulvi Hassan Ali was then put and lost:—

"That the demand of Rs. 1,92,000 under the head '22E.—Ministers' be reduced by Rs. 96,000."

11-45 a.m.

The following motion of Mr. Narendra Kumar Basu was then put and lost:—

"That the demand of Rs. 1,92,000 under the head '22E.—Ministers—Pay of Ministers' be reduced by Rs. 84,000."

The following motion was called but not moved:—

MUNINDRA DEB RAI MAHASAI: "That the demand of Rs. 14,000 under the head '22E.—Ministers—Travelling Allowance' be refused."

Mr. NARENDRA KUMAR BASU: Sir, I beg to move that the demand of Rs. 400 under the head "22E.—Ministers—Hill Allowances" be refused.

Sir, when I moved my motions Nos. 215 and 216 yesterday regarding the hill and Dacca allowances of the Private Secretary and the Military Secretary to His Excellency, I was told that those allowances meant not only hill allowances but Dacca allowances also; that it was expected by a considerable section of the people that His Excellency should spend some time in the second capital of Bengal and so a section of the members of this House would not support my motion. But, Sir, what I understood from the speeches was that the hill exodus was not liked by a large section of the House. This present cut has nothing to do with Dacca: it concerns only the hill allowances of officers accompanying the Ministers. Of course there is no separate demand

for the hill allowances of the Ministers themselves and I shall perhaps be told from the Government benches that if the House were to pass this cut it would mean that the officers of the departments in charge of the Ministers would be deprived of their hill allowances. I put it to the House that it ought to show in unmistakable terms what it feels in the matter, and if this motion is carried, as I hope it will be carried, it will put a stop to the invidious procedure of a portion of Government running away to the hills during summer. Sir, whatever excuse there may be for the Governor and for other people like the Private Secretary and the Military Secretary to go to the hills, I do not think that there is any conceivable reason why the Ministers, who, so long as they were private members of this House, spent all their time in the plains, should run up to the hills. I submit, Sir, that especially this year, this is unthinkable and I hope the House will carry this motion.

The following motions were called but not moved:—

Mr. P. N. GUHA: "That the demand of Rs. 400 under the head '22E.—Ministers—Hill Allowance' be reduced by Rs. 10 (policy of the hill exodus of Ministers)."

Rai Bahadur KESHAB CHANDRA BANERJI: "That the demand of Rs. 14,400 under the head "22E.—Minister (Transferred)—Allowances, Honoraria, etc.' be refused."

Rai Bahadur KESHAB CHANDRA BANERJI rose to speak.

Mr. PRESIDENT: Do you want to speak on Mr. Narendra Kumar Basu's motion?

Rai Bahadur KESHAB CHANDRA BANERJI: Yes, Sir.

Sir, I fully support the motion which has been moved by Mr. Narendra Kumar Basu. In this connection I desire to refer to the history of hill exodus. On the 7th August, 1917, Mr. Surendra Nath Roy, a former member of this Council, brought forward a resolution criticising the Government policy regarding exodus to Darjeeling. In the previous budget session of the Legislative Council he introduced this question in his budget speech and later on in 1926 a similar proposal was again discussed in the Council in connection with the voting of grants. Sir, the cost of exodus to Darjeeling, I may point out, is increasing every year. During the administration of Sir Stuart Bayley in 1889 and 1890, the cost amounted to Rs. 29,786 and Rs. 29,780, respectively, while it was Rs. 96,568 in 1913, Rs. 68,749 in 1914 and Rs. 91,843 in 1915, the present cost being something like Rs. 1,30,000.

The Hon'ble Mr. A. MARR: On a point of order, Sir. I do not think the Ministers existed at that time.

Rai Bahadur KESHAB CHANDRA BANERJI: I know that was before the Montagu-Chelmsford Reforms were brought into existence but I am discussing the principle of the hill exodus and quoting figures to strengthen my case.

Mr. PRESIDENT: But there were no Ministers at that time. I do not think these remarks will serve any useful purpose because things have changed and Ministers have come into existence.

Rai Bahadur KESHAB CHANDRA BANERJI: I want to show how expenditure on this exodus has gone up from year to year. Of course there were no Ministers at that time, but the practice of the Darjeeling exodus was still in existence. However, as you have ruled, Sir, I will not pursue my point further, I will speak on my own motion when it is taken up.

Dr. NARESH CHANDRA SEN GUPTA: Sir, I am somewhat surprised that Rai Bahadur Keshab Chandra Banerji, after the speech he delivered deprecating any reduction in the salary of Ministers, should come forward to move this small cut. It strikes me as somewhat inconsistent, that if the reduction of the Ministers' salaries does serve no useful purpose, it will serve some useful purpose if we make this small cut. We are decidedly against the exodus to the hills. If the Ministers and other officers search their hearts, they will find that there is nothing to support this exodus to the hills. Sir, if it serves no useful purpose to reduce the Ministers' salary, I do not think it will serve any useful purpose to refuse this demand.

Khan Bahadur AZIZUL HAQUE: Sir, I am afraid I do not see eye to eye with the mover of the motion with regard to the hill exodus. My friend says that the High Court Judges remain here and Judicial Officers also remain here. Does my friend know the number of holidays which they enjoy, as against executive officers. My friend, Mr. Narendra Kumar Basu, never misses an opportunity to go to Kashmir or other hill stations————

Mr. NARENDRA KUMAR BASU: Not with tax-payers' money.

Khan Bahadur Maulvi AZIZUL HAQUE: No, at the cost of his clients.

Ministers, who have to work in the Transferred Departments, are always subjected to pressure from all quarters. They have to answer demands and to attend to all sorts of requests, and sometimes the life of a Minister is made miserable by constant calls. A Minister has to

issue notices that he will see public at such and such time, because he cannot see everybody at all times. But that is more observed in breach. The question must not be taken as an isolated one. Here the Ministers have to administer several subjects, they have got a number of officers to serve them and it is necessary sometimes to evolve a policy in a calm atmosphere. I personally therefore consider that it is necessary that the Ministers should get away for some time so that they may not be bothered by people calling on them and disturbing them now and then. My friend, Mr. Narendra Kumar Basu, if he becomes a Minister to-morrow, will find it very necessary for him to take some respite in the hills, during which he can concentrate his mind on important questions of policy.

The Hon'ble Mr. A. MARR: Sir, Mr. Narendra Kumar Basu was quite right in his remark when he said that, if this item does not appear in the budget, the stenographers, chaprassis and other menials, who accompany the Ministers to the hills, will not get their allowances. I should like to remind the House very briefly what the present position of the Government is. This House decided yesterday that His Excellency the Governor should go to Darjeeling. This House also decided yesterday that the Members of the Executive Council should go to Darjeeling. Now I should like to remind the House that the Governor with the Members of his Executive Council forms only one side of the Government. The other side is represented by the Governor acting with his Ministers. Therefore, if the Governor and the Members of the Executive Council go to Darjeeling, it appears to me only logical that the Ministers should represent their side and should also go there. And they must be accompanied by their stenographers and chaprassis. This very small sum is intended for allowances to the officers and menials who accompany them. Therefore I oppose this motion.

The motion of Mr. Narendra Kumar Basu was then put and lost.

12 noon.

The following motions were called but not moved:—

MUNINDRA DEB RAI MAHASAI: "That the demand of Rs. 4,000 under the head '22E.—Ministers—Miscellaneous' be refused."

Maulvi SYED JALALUDDIN HASHEMY: "That the demand of Rs. 2,13,000 under the head '22E.—Ministers' be refused."

Babu JITENDRALAL BANNERJEE and Mr. P. BANERJI: "That the demand of Rs. 2,13,000 under the head '22E.—Ministers' be reduced by Rs. 101 (to raise a discussion on policy and mark disapproval of the Ministers)."

Maulvi SYED JALALUDDIN HASHEMY: "That the demand of Rs. 2,13,000 under the head '22E.—Ministers' be reduced by Rs. 100 (to criticise the Ministers for—

(*i*) want of making adequate provisions for the relief of the agriculturists in their present crisis on account of abnormally low price of the jute;

(*ii*) not making any provision for the free and compulsory primary education; and

(*iii*) inadequacy of grants for medical purposes and sanitation)."

Dr. NARESH CHANDRA SEN GUPTA: I beg to move that the demand of Rs. 2,13,000 under the head "22E.—Ministers" be reduced by Re. 1 (to criticise the Minister of Agriculture and disapproval of his conduct and policy in connection with the administration of the Agricultural Co-operative Department and the Industries Department).

Sir, I move this cut with a full sense of my responsibility. Ministry baiting by itself has no charms for me, and Ministry breaking is not a business in which I have any interest or pleasure whatever because I have neither any desire to grasp the bauble which has proved a veritable apple of discord among us, nor do I belong to those who think that the working of the present constitution should be made impossible. I move this cut because I feel that the Hon'ble Mr. Faroqui, the Minister for Agriculture, has been weighed in the balance and found wanting, because I feel his administration of the department in his charge has been grievously detrimental to the interests of my countrymen, and because he has played ducks and drakes with the wealth of the community and manfully helped to bring about the great crisis in which the country finds itself.

Sir, it is of no interest to me whether the errors of omission or commission with which I charge him and his department were wilful wrongs, or the result of sheer ignorance, or things which he had to do under the orders of those on whom depends his existence as a Minister. The question of his motives is as little relevant to the question as the cut of his face or his views about morals. If he has been guilty of omissions or acts which have done injury to the country, if he has failed to give the country the full value in work for his wages, if the policy of the department under his charge has been detrimental to the best interests of the country, I feel sure that this House will give him no quarter even if he is a good friend, a generous host, with the purest of souls and the most engaging manners.

I want to explain at the outset my reasons for selecting him alone of all the Ministers for my attack. It is not because I love them more or distrust them less. It is because I have given the closest attention to the departments in his charge and I have watched them work and have seen and felt how these departments, pregnant with untold

benefit to the people, have been made barren and even a source of misery to the people. The Hon'ble Mr. Bijoy Prasad Singh Roy is new to his office, and I happen to know little of the working of the departments under him. Of the Hon'ble Mr. Nasimuddin I know more and possibly I may have the opportunity to say something about his department later on. But I know of nothing so grave as to enable me to move a cut in his salary. I have therefore confined myself to Mr. Faroqui.

Sir, no one will accuse Mr. Faroqui of having a lively imagination though I do not know if he is as much afraid of being imaginative as his colleague Mr. Singh Roy. Mr. Faroqui has never been found guilty of contributing a single new thought to the administration of his department, he has never dreamed of initiating a new policy. Personally I feel that that alone would be a sufficient condemnation of a Minister, for I do not conceive that Ministers are placed in office on a fat pay just to carry on the ordinary work of their departments, which can be just as well, if not better, carried on by the present Secretary, but to bring to bear upon it new thoughts and new policies which will direct the work on lines more and more for the benefit of the people. That is my personal opinion and I venture to think that that is the underlying principle of appointing representatives of the people as Ministers according to the approved constitutional theory. But I shall not ask the Council to vote for my motion on this ground alone. I shall ask them to judge him by his work as a practical though unimaginative man.

Sir, by July last the country became aware of an impending economic calamity by a fall in the price of jute. By August the trouble was on us. I can recall the history of the movement that was started and discussed in order to counteract the situation. Some of us met in a deputation to His Excellency the Governor here on his way to Darjeeling and made certain suggestions to him to meet the crisis. Judging from the reply given by His Excellency we thought that we had convinced him of the necessity of doing something very promptly. We made some concrete suggestions and one thing we asked him to do was to invite a conference without delay of persons interested in jute including merchants, cultivators, zamindars and others to consider ways and means of meeting the situation. We expected that Government would at least call a conference. Days passed; His Excellency met his Cabinet at Darjeeling and doubtless discussed things with them. Another deputation from the British Indian Association waited on him at Darjeeling; nothing was done. No conference was held. The only thing that Government did was to announce in response to an urgent request from the Bengal Chamber of Commerce that Government was not going to do anything further, without taking the trouble of having a conference with persons who might throw light on the question and who might make practical suggestions! In the confidence

that in a matter of such grave importance the Hon'ble Mr. Faroqui could not be indifferent, I wrote him a letter to Darjeeling from my home in Mymensingh where I had been examining the situation for myself and where I was struck with the great volume of distress that was coming upon us. I pressed on him the urgency of doing something immediately as I found that the cultivators were not able to hold their stock any longer but was selling them out at ruinous prices. Mr. Faroqui, I have no doubt, received that letter but he did not even have the courtesy to acknowledge it far less do anything. That is some indication of his interest in the welfare of the cultivators whose welfare is entrusted to him—the welfare of the cultivators whom, we are assured, by Maulvi Abdul Hakim, he has specially charged himself to look after, as the price, I should say for the support of the Praja party. During the fateful months of August, September and October Government did nothing. It is quite possible that the Government or the Minister thought that they had taken all the action that was necessary but at any rate the Government might tell us, might satisfy us, with reasons that the only right policy was that of doing nothing. Even this much we could not get from the Hon'ble Minister. The Hon'ble Minister sat tight in his cool Himalayan home and not even whispered a word to the listening world to show that he ever heard of the great crisis which had made people frantic with fear. He did not even call a conference with those who had seen things and studied the situation, far less visit the jute districts to make his own notes.

Later on, when the Government had descended from the heights a conference was called, not at the instance of the Minister but at the instance of a certain number of persons who took an interest in the matter from the point of view of the jute-traders. Mind you, traders and not agriculturists. The matter has been looked at by the Government from the Government of India from Sir George Schuster downwards as entirely a matter for the jute trade, and not as a matter for the cultivator whose very life depends upon jute. A conference of persons interested in the jute trade was called and the Hon'ble Finance Member and the Hon'ble Mr. Faroqui were invited to attend the conference. They took the precaution of informing the members that they were there only to listen and say nothing. The Hon'ble Mr. Marr spoke. He spoke in the old strain. He said that nothing could be done; if Government were to do what the people wanted them to do it would go against certain orthodox opinions. But what did Mr. Faroqui do, the Hon'ble Minister for Agriculture, whose special interest it was to deal with this matter? He sat still at the conference and came away without saying a word. From that moment to now except to answer certain questions in this Council we have not heard anything from him. Sir, the answer which he gave in this Council was that Government was carrying on propaganda for the restriction of

jute cultivation next year. I have been at some pains to ascertain the extent and nature of the propaganda carried on by Government. I have found that, except in one or two places where the subdivisional officers took special interest in the matter, the propaganda has been absolutely nil. Apart from that does Government really think that by circulating a number of leaflets amongst an illiterate people, asking them to restrict their cultivation of jute to 50 per cent. that they are doing any real good?

12-15 p.m.

What was this propaganda? The propaganda was to cultivate 50 per cent. of the land with jute; that is to say 50 per cent. of the acreage of last year. I have told the House in course of my general observations on the budget that this was not going to help the peasants at all. If the peasants cultivate 50 per cent. of the land with jute they may be helping the traders but not themselves. Even this matter the Hon'ble Mr. Faroqui has not thought fit to discuss with persons who might give expert advice.

So much about the handling of the situation when it arose. It was an emergency which called for utmost attention, the greatest energy on the part of the Minister of Agriculture. It was an occasion on which we should have expected him as a popular Minister to stand up for the rights of the raiyats and force the Hon'ble Finance Member to fork out money to help the raiyats out of the situation. We do not know that he has done so.

Then, Sir, if we look back to the history of this crisis we find that the Hon'ble Mr. Faroqui and his department must shoulder a great portion of the responsibility for the magnitude of this crisis in the jute industry, if not for the whole.

Last year during the budget debate my friend Khan Bahadur Azizul Haque drew attention to the fact that the Department of Agriculture was carrying on a propaganda for more and more jute cultivation. The result of this activity was the production of more jute. He pointed out that while the Congress and the people were trying to restrict the cultivation of jute the Agriculture Department was carrying on an intensive work for the production of more and more jute. That at any rate was a notice to the Hon'ble Mr. Faroqui that his department was going in the wrong way. It was a matter of which the Hon'ble Minister was entitled to notice as it bore on the policy his department was pursuing; and he had notice. But did the Government do anything to put a stop to that policy? In support of the proposition that the department has been responsible for the production of more jute I will refer to the report of the department itself.

In the report of that department for the year 1929-30, on page 13 this is said about jute:

"In spite of lower prices, the cultivator in 1929 again produced a crop of over 100 lakhs of bales. There is now little doubt that the wide distribution of departmentally improved races of jute, with the increased crops, thus entailed, has enabled the cultivator to produce his fibre and sell it at lower price than before, while still making a satisfactory profit."

They take full credit for this over-production of jute in 1929 and they went further not to lose that credit in 1930, and the same propaganda of distribution of seeds went on. Not a word was said to the cultivator about this harm of over-production after the warning given by the Khan Bahadur, even leaving aside the propaganda of the Congress. And why? The reason is given by the Director of Agriculture in his report itself. The reason appears to be this: "This has placed the Bengal monopoly in jute beyond the reach of any competition to be anticipated, while still allowing the raiyat a substantial return for his labour." He said that the monopoly in the jute trade would place the raiyat beyond the reach of any competition. But that is a matter in which the European merchants and perhaps the Indian merchants trading in jute are interested very much in jute prices; they are not interested in raising the price of jute but in preventing a formidable competition of any other stuff and any other method of handling the jute. This is the ruling motive of the Agriculture Department and they had the cheek to add that last year the agriculturists sold at a substantial profit but those who know all the facts know that last year as well as this year the agriculturists sold jute at a price which is much below the cost of production. In his evidence before the Agriculture Commission Mr. Finlow said that the cost of cultivation of jute was Rs. 6 per maund and the price of jute last year and this year was much below this. In spite of the warning, in spite of the insistent propaganda of the Congress drawing attention to the serious situation caused by the over-production of jute the Department of Agriculture stuck to their propaganda and Mr. Faroqui acquiesced. What is that Department of Agriculture for if it is not going to help the agriculturists of Bengal to get a substantial return, a substantial profit, out of the cultivation of jute?

Well, how has the Department of Agriculture handled jute? There are three things that they have done—they have increased the production of crop by the wide distribution of departmentally improved seeds. This is the first thing they have done. Then they claim to have improved the staples of jute, a matter in which the trade will possibly have a different opinion, and thirdly, they have gone on year after year producing jute forecasts. Let us see how any of these things had helped

the cultivators. I have shown that the over-production of jute brought about by the introduction of improved seeds has led to the ruin of the cultivators. I say that the Department of Agriculture have done this with a set purpose or out of culpable negligence.

Then with regard to improved staples. The Department of Agriculture, if it thinks, that the longer staples are better staples and are going to help the cultivators in the least, then it must be absolutely perverse, because everybody who has anything to do with jute knows that as a result of improved machinery better staples are no longer necessary for the jute mills. The result of that coupled with the fact the jute mills have practically complete control over the grading of jute has been that the jute mills are not buying good jute at all. I do not want to tax the House with details which perhaps may not be quite intelligible to them. The jute mills do not buy and they have never bought No. 1 and they do not buy No. 2 or 3 or even 4. They do not buy the higher quality of jute, they buy the rejections. (A VOICE: Question!) What they do with the rejections is this: If the jute mills do not buy anything but rejections the traders must dispose of all the better class of jute they have to buy from the cultivators and therefore they will put in all the better qualities of jute along with the rejections. This is what they do. (A VOICE: At Dundee.) Yes, I know. However I do not want to enter into that controversy. The position is that the improved staples of jute do not mean better price. If the matter is investigated—and I would challenge the appointment of a committee of this House to investigate this matter—it will be found that by their control of the grading the jute balers and mill owners have made it effectually impossible for the cultivators and the Indian traders to get anything from the higher class of jute so that this work of the Agriculture Department has not helped the agriculturists at all.

Then I come to the jute forecast. Perhaps to those who have studied the subject it is well known that the jute forecasts have not done the least bit of good to the cultivators; it may have done some good to the buyers; it has helped very often in producing a slump in prices; false forecasts and erroneous forecasts have reduced the prices some times; whether that mistake was on the side of deficiency or not the buyers could adjust their prices so that they lost the least amount out of it. It has benefited the buyer but it has not done the least good to the cultivators. This is all that the Department of Agriculture has done and during the year that Mr. Farcqui was in charge of the department has he ever inquired about it or has he tried to make the department do anything better with regard to it. It does not appear from anything that has been published that the Hon'ble Minister has done anything and the result is that the most important commodity in Bengal has been allowed to be wasted—thrown into the sea, so to say, because of the negligence

of the department in considering the interests of the cultivators and in organising the cultivators in the best way they could. So much with regard to jute.

There are one or two good things which have been done by the Agriculture Department, but I do not think that the Hon'ble Minister will lay claim to any personal credit for those things. To one of those things I referred in my general observations on the budget—that was the work that had been done in connection with cattle-breeding. In the districts of Nadia and Malda certain experiments were carried out on cattle-breeding and for the purpose of producing fodder, silage operations were also tried. The result was satisfactory. Hon'ble members will find all about that in the report of the Department of Agriculture at page 20 and I do not want to tire the patience of the House by going into details about them. Mr. Gossip, the Live-Stock Expert, has two officers to carry on this work under his direction in two places and the result is satisfactory. In the report of the Department of Agriculture the work that has been done has been applauded. This Live-Stock Expert says that the crucially important question of cattle improvement can only take place with reasonable rapidity by an improvement in dairying conditions, and that to make any headway with dairying, a teaching centre is necessary. A scheme for development in this direction at quite a low cost has been approved by Government, but the lamentable lack of funds for agricultural improvement generally has prevented its materialization. In this department of cattle-breeding and general dairy there is an infinite scope for expansion, for development on profitable lines but the development has not taken place because of the stringency of funds.

12-30 p.m.

I do not complain of that, I do not make that a ground for complaint. But the work that had already been commenced in Malda with regard to cattle-breeding and fodder growing had to be stopped, and why? The Hon'ble Mr. Marr wanted the Department of Agriculture to retrench and the department in its anxiety to oblige him could think of nothing but sacrificing Rs. 6,000 paid to these officers. Well, I think it might be very obliging of the Hon'ble Minister for Agriculture, but it was just the thing which he ought not to have done. Wherever there was the slightest opportunity for doing a real service to the country by increasing the wealth of the people, the Hon'ble Minister has either done nothing or done something which has been to the detriment of the department. So much about agriculture. Then there was another department———

(Here the member having reached his time-limit resumed his seat.)

Mr. NARENDRA KUMAR BASU: Sir, in rising to support this motion I shall confine my remarks to one of the various departments that are under the charge of the Hon'ble Mr. Faroqui. It is perfectly well known to all the members of this House that the Co-operative Department is one which is fraught with possibilities of doing immense good to the people of the country. In fact in my unregenerate days, when I was not yet a co-operating member of this Council, I sometimes used to ask myself why should an alien Government start this movement which is fraught with so much possibilities of doing good to the people. Well, I know now that the Government is always anxious and solicitous for the teeming millions for whom they hold the trusteeship, and it is therefore that they started the movement. But let us see how this department has been administered under the ministership of my friend Mr. Faroqui. Well, I am sorry Sir Provash is not here now; he would have been able to bear me out. About 25 years ago I was arguing a case before Sir Francis Maclean, one of the stateliest Chief Justices of the Calcutta High Court. It was a case from Bihar. The case turned upon the proof of a marriage. In the review of the evidence the first witness was described as the father-in-law, the second was described as the brother-in-law, and the third was described as the barber-in-law. The learned Judges, the advocates and everybody were surprised and did not know what barber-in-law was. It was discovered that he was the barber of the village where the marriage in question had taken place. Pursuing that analogy one might say that the Co-operative Department is the department-in-law. I will tell you why. It has been manned for years past and is being manned at present by relatives-in-law of the past and the present Ministers of Agriculture. Therefore, I say that the department may very well be styled as the department-in-law of the Hon'ble Minister. This department-in-law started some co-operative jute sale societies. They were fraught with immense benefit to the population, and we were told that they were doing good to the country. Last November suddenly we were told that these jute sale societies had been put into liquidation and that a high official of Government was being deputed to inquire into the matter. One would have thought that an inquiry would be made into the working of these societies before final orders for liquidation were given. But the department presided over by my amiable friend Mr. Faroqui has got ideas of its own. What has the Registrar of Co-operative Societies, whom I see going from bench to bench during this discussion, done to hold an inquiry as to the probable survival of these societies? One of the greatest drawbacks of the department is that most of the officers, I mean the Registrar and the Assistant Registrars, are not peripatetic outside the Council Chamber. The Registrar is peripatetic inside the Council Chamber. But that will not do. The heads of the department ought to go about the country and it is their business to do so. I

understand that Government in one of its reports said regarding the functions of the Registrar and Assistant Registrars that the Assistant Registrars would find it possible to get into closer and more frequent touch than at present with co-operative societies within their respective jurisdiction so that they might have first-hand knowledge of their needs and wants and rectify them on the spot. But this work is being done by the Assistant Registrar of the Burdwan Division having his headquarters in Calcutta. Not only has the Assistant Registrar of the Presidency Division got his headquarters in Calcutta, but the headquarters of the Assistant Registrar of the Burdwan Division are in Calcutta. One would like to know for how many days the Registrar and the Assistant Registrars have gone out to interview co-operators in the districts. I submit that the hasty and inconsiderate way in which the jute sale societies have been closed down shows the utter rottenness of the department.

Mr. J. CAMPBELL FORRESTER: It seems to me that Dr. Sen Gupta made up his mind to have something to say against the Minister of Agriculture, and he fixed on the subject of the jute crop, but he has handled his subject very badly. The jute crop and the over-production of the crop is all put down to the fault of the Minister of Agriculture. He is blamed for growing a crop of such an excellent quantity this year as has never been known before. I am sure it is the Almighty who is responsible for that and not Mr. Faroqui, and if Dr. Sen Gupta's effort is to make Mr. Faroqui responsible for it, he is clearly not entitled to do so. The Doctor may know a great deal about drugs. (A VOICE: He is a Doctor of Law.) Thanks for the correction. I have not the honour of knowing the worthy Doctor personally, but I am certain he knows more about law than he does about jute and causes of the jute crisis. He has informed the House that by some extraordinary means the buyers of jute fibre have taken advantage of the sellers, and he talks glibly about the buyers doing away with the long fibres to the detriment of sellers. This in itself shows gross ignorance of the subject. The length of the fibre does not in any way affect the price of manufacture, as the raw material is put through softeners, breakers and teasers, the jute then comes through two rollers, and falls like a waterfall, the fibre having been teased out into sliver. Whether it is a long fibre or a short fibre, it goes through this process.

He again talks glibly about 1's, 2's, 3's, 4's, Rejections without having studied the subject. Out of your selections in jute you can only take four qualities. Ones may be discounted as they are practically not procurable, 2, 3, 4, R, you can name them what you like you can call the 3 a R, and the 4 a Low Rejection, and the Rejection a Hubby

Jubby, it is merely altering the names, but the four qualities remain the same. Therefore the price is not affected by the altering of a number or name.

In fact he makes out such an absurd case that one is compelled to come to the conclusion that in his effort to attack the Hon'ble Minister for Agriculture, any argument is good enough. This has the effect on me, and no doubt has the same effect on many other members of this House, of driving their sympathy towards the Hon'ble Mr. Faroqui. As I said in this House the other day, it is not the increased crop that is entirely responsible for the terrible slump in jute, but the lack of a research department. Let Dr. Sen Gupta and others who are grumbling about excess crops turn their attention for other uses for this wonderful fibre, the cheapest in the world, and a monopoly of Bengal.

Khan Bahadur Maulvi AZIZUL HAQUE: Sir, I am sorry my friend Mr. Narendra Kumar Basu is not here now. I only want to refer to the jute sale societies. I as a member of the Provincial Banking Enquiry Committee had an opportunity of going thoroughly into the working of these societies and also into the working of co-operative societies in Bengal. It is my moral conviction as a result of the examination of the facts which I am not entitled to disclose to this House, as a result of the evidence contained in volume III of the report of the Provincial Banking Enquiry Committee, and as a result of the several conferences between jute growers, co-operative banks and others interested, that if the Minister of Agriculture has done anything for the good of Bengal it is the closing of the jute sale societies. I am confident on very sound reasons that if these societies had not been closed at that time then the whole co-operative movement in Bengal would have got a rude set-back, and my reasons are obviously clear. These jute sale societies were started under the auspices of the co-operative department, but they had very little co-operative element in them. They were merely substitutes of the many dealers in jute which we find already in the market. There were 10 jute sale societies in Bengal and the reason why these societies were started was to give to the cultivators a little more from the share of the middlemen.

12-45 p.m.

In other words, the idea was to effect direct contact between the cultivator and the purchaser. There can be no objection to such an idea but as a matter of fact what did these societies do? Jute was purchased by the societies from the open market and it was not the members' jute. We also found that the jute sale societies, most of whom were started in 1926—the boom year—were working on losses. Why was it so? Excepting one society not a single society could pay any dividend as the overhead charges were very high. There was another element in

it and that was that as a result of the loans which these societies had incurred year after year, they were faced with the problem of how to meet their liabilities. You will be surprised to hear that we were confronted with evidence not merely in one district but in several districts—evidence which is now on record and which showed that the reserve funds of the village co-operative societies were being put into these jute sale societies. At that time we were confronted with a serious task. If we censured the working of the jute sale societies it would harm their reputation and we would be told that as a result of our stricture they have lost credit in the market. Therefore, Sir, as the report of the Banking Enquiry was a reserved one we suggested that a careful inquiry should be made by an expert in order to determine whether these should continue. If these societies had continued for another year the result would have been a great set-back to the co-operative movement in Bengal.

Sir, I remember to have been told in the district of Dacca and one or two other places that the officers of the co-operative department were forcing the villagers to put their money in jute societies. In the face of that I think if these jute societies were allowed to continue then not merely the village societies but the provincial co-operative bank would have had to face heavy liabilities. I am told that the liability of the provincial bank in that case would have been not about Rs. 20 lakhs but much more and all this because the provincial bank had to finance jute societies. I, therefore, think that Government has done a very sound thing in abolishing the societies. By that I do not mean that these societies should not be resuscitated. If they are to be resuscitated they must be resuscitated on sound financial lines with a view to encourage co-operation and eliminate the middleman from the market.

Rai Bahadur KESHAB CHANDRA BANERJI: Sir, Mr. Narendra Kumar Basu has criticised the Hon'ble Minister in connection with the working of co-operative credit sale and supply societies. As chairman of a now-defunct society, I owe it to myself to explain the real position. It may be that the order of liquidation was passed before the inquiry officer was appointed but I can tell the House that Mr. Nelson was deputed to hold an investigation into the working of these co-operative sale and supply societies and in connection with the inquiry held into the working of the Narayanganj Society, I had the opportunity of placing all the registers and papers before him for proper examination and scrutiny. It was in pursuance of the recommendations of the Banking Enquiry Committee that the Hon'ble Minister appointed Mr. Nelson to hold the inquiry. I do not know anything about the working of the other jute sale societies, but so far as the Narayanganj Sale and Supply Society is concerned, I can say that the investigation was not carried out in a fault-finding spirit and it was found that the

closing of the society was not without any justification. That is all that I have got to say in reply to Mr. Narendra Kumar Basu's criticism.

The Hon'ble Khan Bahadur K. G. M. FAROQUI: Sir, my policy has been criticised with special reference to the present jute situation. It will be news to my friend to learn that other persons besides he, such as, for instance, the much-maligned Minister, have not been behind hand in their endeavour to help the cultivators in the present crisis so far as possible. Government have up to date distributed Rs. 8,78,932 as takavi loans while the Bengal Provincial Co-operative Bank have given away as loans to the extent of Rs. 5,38,250 and the Central Banks have distributed Rs. 6,49,911 through primary credit societies to members.

Sir, Government have been blamed for the present situation. But they have just as much or as little control over the factors which have contributed to the present situation as my friends who have criticised us have. The situation this year has not been due to over-production alone. In the year 1926, the outturn was large but prices were nevertheless maintained because the world conditions of that year stimulated trade demand. Jute, although produced only in Bengal, is an international commodity and depends entirely for its price upon trade condition throughout the world.

As I explained to the House in connection with a non-official Jute Bill which was introduced in Council the other day, the question as to the steps which can be and should be taken with regard to the present situation was discussed threadbare on various occasions with non-official bodies, representative cultivators and other persons interested in the matter. There was an overwhelming majority of opinion against restriction by legislation. In spite of this, however, Government agreed to the circulation of a non-official Jute Bill with a view to eliciting public opinion thereon. Further, as a result of the careful examination of the situation and the prolonged discussion of the question with all parties interested in the matter, Government have undertaken propaganda work with a view to the restriction in the area under jute this year. Several leaflets have been issued for the purpose, and the cultivators have also been advised as to the crops they would substitute for jute on the land thus set free this year. Every step has been taken by Government to ensure that these leaflets reach the cultivators and copies of these have been given to such non-official bodies as have come forward to assist in this propaganda. The Press Officer has also undertaken the use of bulletins for the purpose in consultation with the Agriculture Department.

So far as our information goes, these leaflets have reached the cultivators and if some of my friends who are so eloquent over the matter in the Council Chamber would co-operate with Government outside this

Chamber in inducing the cultivators to sow a restricted area this year, the situation would improve. But, Sir, the problem is a difficult one, specially as more than one province is concerned in the matter, and, therefore, any action, in order to be effective, must be taken in concert by all the provinces concerned. The question of setting up an agency which would watch over the interests of all branches of the jute trade from the field to the factory formed the subject matter of correspondence with the Government of India, who have decided to undertake legislation forthwith for the formation of a Central Jute Committee. Opinion has not been asked for, in regard to the functions of the Committee, its personnel and the manner in which it would be financed. Accordingly we have invited the views of the various commercial and other bodies interested in the matter, of the Bengal Central Raiyat Association, of representative growers and of Commissioners of Divisions and District Officers. Replies from many of these consulted are still being awaited. While Government are naturally anxious to expedite the matter as far as possible, they propose in view of its importance to consider carefully the views which may be expressed by those concerned before formulating their opinion in the matter.

Sir, the agricultural departments of all the provinces in India and in fact of all the civilised Governments publish the forecasts of the important produce. This helps the merchants and the growers as well.

The Preliminary Jute Forecast is published about the 2nd week of July and the Final Forecast about the 3rd week of September. A shortage in the forecast figures stimulates prices and helps the cultivators whereas a forecast of a large crop depresses prices and is detrimental to the interests of the cultivators. But, Sir, may I point out that as a matter of fact during the last decade, the outturn as estimated in the Forecast has invariably been less than the actual crop, and that therefore the forecast has been beneficial to the growers rather than to the consumers.

Regarding the publication of the Forecasts of probable trade demands, no Government can commit itself to such a dangerous policy. Probability of trade demand is a matter of speculation. Is it desirable that a Government should speculate regarding the probability of demand? If the idea of the Government does not prove to be correct and the jute growers suffer in consequence thereof, what a dangerous situation will then be created? If any body of the department or even the hon'ble members can correctly anticipate trade demand then he can easily occupy a prominent position in the Clive Street of Calcutta or the Wall Street of New York and place himself within the category of the 20 richest men of the world. Even such well organised bodies like the Indian Jute Mills Association could not anticipate the probable trade requirements during the last few years and in consequence they are faced at present with the same difficult situation as our raiyats.

Then, Sir, I have been charged with the discourtesy of not acknowledging a letter which Dr. Sen Gupta says he wrote to me in connection with the jute situation. I am sorry that he should have thought me so rude. But the fact is that I do not remember to have received any communication from him on the subject.

Then, Sir, my friend Mr. Basu has attacked me and the Registrar of Co-operative Societies for the closure of the jute sale societies. His criticisms have been fully met by my friend Khan Bahadur Azizul Haque and I have little to add.

It is true, Sir, that the experiments made in the direction of joint sale of jute have failed. But I regret that the policy of the department in closing down these societies should have been criticised. Government have been no less anxious than any one else for the development of the co-operative movement in this direction. The jute sale societies which were closed down had developed on un-co-operative lines and had become financially bankrupt through speculation. They handled an extremely small portion of the total jute produced. The maximum quantity handled by these societies was a little over 10 lakhs of maunds of jute a year while the total outturn last year was estimated at 5 crores and 60 lakhs of maunds. Further, we have it on the authority of the Bengal Banking Enquiry Committee that with the exception of one society in one particular year these societies were never productive of any good to the cultivators. And the Committee practically recommended the closing down of these societies. In these circumstances, Sir, the only honest course to adopt, with due regard to the interest of the entire movement, was to close down these societies which had developed on un-co-operative lines and had become financially bankrupt.

The motion of Dr. Naresh Chandra Sen Gupta was then put and lost.

1 p.m.

The following motions were called but not moved:—

Khan Bahadur Maulvi AZIZUL HAQUE: "That the demand of Rs. 2,13,000 under the head '22E.—Ministers' be reduced by Re. 1 (to draw attention of the Ministry to the necessity of reviewing the working of the departments in charge of the Ministers, specially in the departments of Agriculture, Industry, Excise and Public Health, and of enunciating the future policy and working of these departments)."

Mr. SARAT CHANDRA BAL: "That the demand of Rs. 2,13,000 under the head '22E.—Ministers' be reduced by Re. 1 (policy of Minister with reference to the backward classes)."

Rai Bahadur KESHAB CHANDRA BANERJI: "That the demand of Rs. 55,000 under the head '22F.—Legislative Council—Travelling allowance' be refused."

Mr. NARENDRA KUMAR BASU: Sir, may I ask for a ruling whether I shall be in order in taking all the cuts regarding hill allowances together? Or shall I move these motions separately?

Mr. PRESIDENT: What are the motions you refer to?

Mr. NARENDRA KUMAR BASU: Nos. 263, 291, 293, 318, 320, 326 and 328.

Mr. PRESIDENT: Yes, you can take them together.

Mr. NARENDRA KUMAR BASU: Sir, I beg to move the following motions:—

"that the demand of Rs. 1,900 under the head '22F.—Legislative Council—Hill allowances' be refused;"

"that the demand of Rs. 16,000 under the head '22G.—Civil Secretariat (Reserved)—Hill Allowances' be refused;"

"that the demand of Rs. 5,400 under the head '22G.—Civil Secretariat (Reserved)—Hill Journey Charges' be refused;"

"that the demand of Rs. 5,000 under the head '22H.—Civil Secretariat (Transferred)—Hill Allowance' be refused;"

"that the demand of Rs. 3,000 under the head '22H.—Civil Secretariat (Transferred)—Hill Journey Charges' be refused;"

"that the demand of Rs. 1,000 under the head '22I.—Board of Revenue—Hill Allowances' be refused;" and

"that the demand of Rs. 1,000 under the head '22I.—Board of Revenue—Other contingencies—Hill journey charges' be refused."

These motions, Sir, all relate to the hill allowances paid to the different departments, namely, the Legislative Council—Rs. 1,900, Civil Secretariat—Rs. 16,000 *plus* Rs. 5,400 = Rs. 21,400, Civil Secretariat—Rs. 5,000 *plus* Rs. 3,000 = Rs. 8,000, and the Board of Revenue—Rs. 1,000 *plus* Rs. 1,000 = Rs. 2,000, that is to say, Rs. 33,300 altogether. Sir, the arguments against the exodus to the hills have been put by me twice already, but it was said in answer to those two proposed cuts that they referred to His Excellency the Governor and the clerks and ministerial officers of the Executive Councillors and Ministers. Now that this House has passed those demands, I think, Sir, that so far as the Governor and the Cabinet are concerned they have got the liberty to go to the hills. But so far as these departments are concerned, I do not see any reason that can be advanced for spending this Rs. 33,000 of public money for taking them to the hills year after year. Sir, in addition to what I have said about the necessity of economy this year I would ask the Hon'ble Minister in charge of the Excise Department to remember what he said in declaring the policy of Government in

excise matters. He said day before yesterday that Government has been following the policy of minimum consumption of excisable articles. Sir, taking people from the plains to the hills is not following the principle of minimum consumption of excisable articles————

The Hon'ble Mr. BIJOY PRASAD SINGH ROY: Mr. Basu seems to know more about this.

Mr. NARENDRA KUMAR BASU: Yes, I do and therefore I say that he should not take people to the hills if he wants less consumption of excisable articles. I submit no reasons have been given, in spite of the carrying of the other two motions, why it should be necessary for all these officers to go up to the hills every year and to spend Rs. 33,000 for the purpose. I therefore commend these motions to the acceptance of this House.

Rai Bahadur KESHAB CHANDRA BANERJI: Sir, I beg to support the following motions which also stand in my name:—

"that the demand of Rs. 5,000 under the head '22H.—Civil Secretariat (Transferred)—Hill Allowance' be refused;"

"that the demand of Rs. 1,000 under the head '22I.—Board of Revenue—Hill Allowances' be refused;" and

"that the demand of Rs. 1,000 under the head '22I.—Board of Revenue—Other contingencies—Hill journey charges' be refused."

Sir, in supporting these motions I shall try to draw attention to the fact that the question before the House is not a new one. It was discussed and debated times without number on the floor of this House, but unfortunately no steps appear to have been taken to give effect to those resolutions. As I have already stated before, the question formed the subject matter of a resolution moved by the late Babu Surendra Nath Roy, a former member of this Council, in the Dacca Session of the Legislative Council, held on the 7th of August, 1917. On subsequent occasions also the question came up for discussion. On the 8th February, 1921, Mr. Surendra Nath Mullick moved a resolution that the annual migration to the hills should be discontinued. In his speech he referred to the unwisdom and inadvisability of spending public money on the luxury of exodus to the hills twice a year. Sir, men like Sir Alexander Wilson, men like the late Mr. Pugh and Mr. Yule thought that it was an exaggerated notion that the Indian climate was unsuitable. And it was so thought in 1886—45 years ago, when many of us here were quite young and some of us were even not born. I do not want to go into details, but I would simply refer the House to the arguments advanced by Mr. Mullick and other speakers in support of the resolution. A glance at the official report of the Council proceedings of the 7th August, 1917, and the 8th

February, 1921 (pages 137 to 161) will convince the hon'ble members of this House of the futility of the annual exodus to Darjeeling. The question was also discussed on several other occasions on the floor of this House in connection with the voting of grants, but we find that the practice has still continued to the utter detriment of the poor tax-payers. Sir, the present year is one of exceptional difficulty not only to Government but also to the people. In view of the financial position of Government, as has already been indicated by the Hon'ble Finance Member in his Budget speech, I do not think it wise or advisable on the part of Government to have the luxury of a hill exodus, this year. I do not wish to reiterate the arguments against migration to Darjeeling as a perusal of the old Council proceedings already referred to will amply justify my contention. I would, therefore, appeal to the Hon'ble Members opposite to postpone going to Darjeeling at least for one year.

With these words, I commend my motions to the acceptance of the House.

Maulvi HASSAN ALI: Sir, I do not know what these sums for hill allowances are for. If the reason for providing these sums is to keep the prestige of Government, then I do not want to say anything. But if they are for the health of the officers I have grave objections. Sir, everybody must look after his own health and everybody requires rest. If Government can give the assurance that they will carry all the people of Bengal to the hills to improve their health, then perhaps I may have no objection. Can Government give any assurance like that? No, they cannot. If the officers of Government want to go to the hills occasionally, it is their own business and they must spend these sums out of their own pockets. I therefore support these motions.

The Hon'ble Mr. A. MARR: Sir, the position in the discussion that we have now arrived at is that His Excellency the Governor goes to Darjeeling, the Members of the Executive Council and the Ministers also go to Darjeeling. That part of the question is now settled. To every one, I think, it must be obvious that if the Governor, the Executive Councillors and the Ministers go to Darjeeling, they must have a certain number of officers there to advise them and to do all the necessary Secretariat work. I think it is also clear that a certain number of the establishment must go up with the Government. This question is not a new one: it has come before the Council on several occasions before. It was brought forward by Mr. Surendra Nath Mullick in a resolution which he moved in this Council in February, 1921, and to which reference has been made by Rai Bahadur Keshab Chandra Banerji.

1-15 p.m.

It astounded me when the Rai Bahadur made the statement that no action whatsoever was taken on that resolution and no reduction was made in the establishment. I think if the Rai Bahadur had taken the slightest trouble to find out————

Rai Bahadur KESHAB CHANDRA BANERJI: May I rise on a point of personal explanation? I did not say that no action has been taken to reduce expenditure but that no action has been taken to give effect to the resolution.

The Hon'ble Mr. A. MARR: I beg to differ. The Rai Bahadur most certainly said that no action was taken and that no reduction in the expenditure had been made in consequence. He said that most distinctly and I am certain he meant this, but if he had taken the slightest trouble to get the figures from any Member of Government, he could not have made that statement. I may say, Sir, that as result of the passing of that resolution in 1921 action was taken at once and Government decided then that not only should the number of clerks in the Secretariat that go to Darjeeling be heavily curtailed but also that the establishment that accompany heads of departments should be still more curtailed.

Later on in 1923 the Bengal Retrenchment Committee examined this question and advised certain reductions; the matter was again examined and Government were able to make some further reductions. Before these reductions were made the expenditure incurred was roughly Rs. 75,000 to Rs. 80,000; but as a result of these two examinations of the position the figure was reduced to Rs. 38,703 as an agreed on figure. Since then in not a single year has that figure been exceeded. Up till now the Council has always passed what was the actual expenditure, which, as I have said, never exceeded the figure agreed upon. I therefore think that the Rai Bahadur's arguments are not based on facts and the Council will be perfectly safe in voting this money.

I might add that as a further safeguard in recent years it has been laid down that a fortnight before the move to Darjeeling takes place each department has to submit a statement to the Finance Department showing the name and pay of each assistant and each menial whom it is proposed to take up to Darjeeling. That statement is scrutinised in the Finance Department very carefully and if any department tries to exceed its allotment it is immediately pulled up. I beg to oppose these motions.

The Hon'ble Sir PROVASH CHUNDER MITTER: Motions Nos. 326 and 328 appertain to my department. As the Hon'ble Finance Member has explained the position fully it is not necessary for me to cover the same ground again, but I will add that what was decided in 1921 was the result of a vote of the Legislative Council. That Legislative Council had much useful work to its credit and a considerable saving was made as a result of that motion of Mr. Surendra Nath Mullick, which was supported by many members of that Legislative Council. I see here Mr. S. M. Bose, who was one of them and there were Mr. S. R. Das and various other members, who got the objectionable features of the exodus removed. The Council has already agreed that His Excellency the Governor should be allowed to go to Darjeeling, it was also agreed that if the Government was to function Members of the Cabinet should also be there. Therefore it follows that the minimum requirements of carrying on the Government must also be provided for. The present arrangements for the Darjeeling exodus are on a very modest scale. I may add that the Darjeeling office is known as the tour office.

With regard to this particular item about the hill allowance of the Board of Revenue hon'ble members will find from page 100 that the allowance of the Member of the Board of Revenue is non-voted. It does not touch the Member of the Board of Revenue; it touches his orderlies and clerks and menials. If the Member in charge of the Board of Revenue is not there when questions of importance crop up in the Revenue Department, as they constantly do, it may be necessary to send for him to have a discussion at Darjeeling; that will be more expensive and certainly more inconvenient than the present system. On the other hand if he is there the work will be done expeditiously. Therefore as the Council has agreed to His Excellency's going there as well as to Members and Ministers going there I hope they will not object to the allowances of the petty clerks of the Board of Revenue.

The motions of Mr. Narendra Kumar Basu were then put and lost.

The following motion was called but not moved:—

Maulvi SYED JALALUDDIN HASHEMY: "That the demand of Rs. 1,900 under the head '22F.—Legislative Council' be reduced by Rs. 100 [policy regarding hill exodus of officers (gazetted and ministerial)]."

MUNINDRA DEB RAI MAHASAI: I beg to move that the demand of Rs. 1,900 under the head "22F.—Legislative Council—Hill allowances" be reduced by Re. 1 [policy regarding hill exodus of officers (gazetted and ministerial) and absence of any principle].

Sir, this is a token cut to express our disapproval of the hill exodus policy. The financial condition of the country does not justify expenditure on such luxuries. This is of course a small amount but, Sir, "every mickle makes a muckle." This is an expenditure which, I think, can be avoided. If I was convinced that it was a necessity, I should have been the last person to object to it. Sir, I think that excepting the Hon'ble Mr. Marr I have got to bear the heaviest body in this Council and for such a body the tropical heat is undoubtedly boring, yet I do not find any necessity of running to the hills during even the hottest weeks if I can help it. By this I do not mean to say that I do not go to the hills. Yes, I do generally in October or November for a change when the plains are rather hot. Sir, if a *punkha* and *khas khas* can keep the heads of the average Bengalee cool enough to do business in Calcutta during the hottest days, I do not understand why such should not be the case with the officers of Government———

The Hon'ble Mr. A. MARR: On a point of order, Sir. Is it not the case that the mover is raising a question that has been already decided? The mover, as I understood him, is challenging the question of allowances given to officers and clerks who go to the hills. I think this question has already been decided and he is not in order.

Mr. PRESIDENT: Yes, we have disposed of that question. I think you had better not move it.

MUNINDRA DEB RAI MAHASAI: Then I do not move.

The motion of Munindra Deb Rai Mahasai was then deemed to be withdrawn.

The following motions were called but not moved:—

MUNINDRA DEB RAI MAHASAI: "That the demand of Rs. 19,000 under the head '22F.—Legislative Council—Lump sum provision for the occupation of the new Council Building' be reduced by Re. 1 (to raise a discussion on the carelessness of the contractors in the construction of some coloured marble pillars in which cracks were noticed soon after occupation)."

Mr. SHANTI SHEKHARESWAR RAY: "That the demand of Rs. 2,06,000 under the head '22F.—Legislative Council' be reduced by Rs. 100 (unsatisfactory police arrangements in the new Council House, particularly the rather offensive stare of police officers in striking contrast to the ever helpful attitude of the staff of the Legislative Department)."

MUNINDRA DEB RAI MAHASAI: "That the demand of Rs. 2,06,000 under the head '22F.—Legislative Council' be reduced by Rs. 100 (pay and prospects of the department)."

Kazi EMDADUL HOQUE: "That the demand of Rs. 2,06,000 under the head '22F.—Legislative Council' be reduced by Rs. 100 (revision of the prospects of the lower division assistants of the Legislative Department, and also the raising of the status of the department, so far as the upper division assistants are concerned)."

Babu JITENDRALAL BANNERJEE: "That the demand of Rs. 2,06,000 under the head '22F.—Legislative Council' be reduced by Rs. 101 (to raise the questions of the separation of the Council Office from the Legislative Department)."

Babu SATISH CHANDRA RAY CHOWDHURY: "That the demand of Rs. 2,06,000 under the head '22F.—Legislative Council' be reduced by Rs. 100 (to raise a discussion on the desirability of separation of the Legislative Council staff and office from the Government Departments and placing the same under the President of the Legislative Council)."

Kazi EMDADUL HOQUE: "That the demand of Rs. 2,06,000 under the head '22F.—Legislative Council' be reduced by Rs. 100 (in order to raise a discussion about the combination of functions of Secretary, Legislative Council, with the Secretary to the Government)."

Mr. S. M. BOSE and MUNINDRA DEB RAI MAHASAI: "That the demand of Rs. 2,06,000 under the head '22F.—Legislative Council' be reduced by Rs. 101 (a separate Legislative Council Department under the exclusive control of the President)."

Maulvi SYED JALALUDDIN HASHEMY: "That the demand of Rs. 2,06,000 under the head '22F.—Legislative Council' be reduced by Rs. 100 (steps taken by the Hon'ble Member in charge for the separation of the Legislative Department from that of the Legislative Council)."

Kazi EMDADUL HOQUE: "That the demand of Rs. 2,06,000 under the head '22F.—Legislative Council' be reduced by Re. 1 (delay in effecting the separation of the Legislative Department and Legislative Council Office)."

MUNINDRA DEB RAI MAHASAI: "That the demand of Rs. 12,600 under the head '22G.—Civil Secretariat—Judicial, Political and Appointment Departments—Pay of Officers on special duty' be refused."

Mr. NARENDRA KUMAR BASU: I beg to move that the demand of Rs. 3,13,000 under the head "22G.—Civil Secretariat (Reserved)—Judicial, Political and Appointment Departments" be reduced by Rs. 100 (question of exercise of function by the Press Officer and abolition of the post).

But it would be better if I move it on Monday, Sir, as there is only one minute left to-day.

Mr. PRESIDENT: You have moved it and you can speak on it on Monday.

Adjournment.

The Council was then adjourned till 3 o'clock on Monday, the 23rd March, 1931, at the Council House, Calcutta.

Proceedings of the Bengal Legislative Council assembled under the provisions of the Government of India Act.

THE COUNCIL met in the Council Chamber in the Council House, Calcutta, on Monday, the 23rd March, 1931, at 3 p.m.

Present:

Mr. President (the Hon'ble Raja Sir MANMATHA NATH RAY CHAUDHURI, KT., of Santosh) in the Chair, the four Hon'ble Members of the Executive Council, the three Hon'ble Ministers and 117 nominated and elected members.

Starred Questions

(to which oral answers were given).

Number of Hindu and Muhammadan elected members in the District and Local Boards and Municipalities.

*153. **Maulvi ABDUL HAKIM:** Will the Hon'ble Minister in charge of the Local Self-Government Department be pleased to lay on the table a statement showing the number of Hindu and Mussalman elected members in the local boards, district boards and municipalities in each district in Bengal?

MINISTER in charge of LOCAL SELF-GOVERNMENT DEPARTMENT (the Hon'ble Mr. Bijoy Prasad Singh Roy): As regards district boards and local boards, attention is invited to appendix G to the resolution on district boards a copy of which will be found in the Library. It is regretted that time does not permit of further information being collected during this session.

"Motilal day" in Gewankhali.

*154. **Mr. R. MAITI:** (a) Will the Hon'ble Member in charge of the Political Department be pleased to state whether it is a fact that the "Motilal day" was observed on the 15th of February, 1931, by the people of this country all over India as a mark of respect to the memory of Pandit Motilal Nehru?

(*b*) Is it a fact that Government took no steps to prevent the celebration of such memorable day by the people for taking out processions with the photo of the Panditji and holding meetings for the purpose?

(*c*) Is it a fact that on that day some processionists were dispersed by the police near Gewankhali bazar within police-station Mahisadal in the district of Midnapore after snatching away the photo of Pandit Motilalji and the National flag from their hands and arresting Benoy Krishna Bag, Amulya Charan Bag and Surendranath Bhorai?

(*d*) If the answer to (*c*) is in the affirmative, will the Hon'ble Member be pleased to state what action he proposes to take in this matter against the police for such conduct on their part?

(*e*) Are the Government considering the desirability of releasing the arrested persons at once?

MEMBER in charge of POLITICAL DEPARTMENT (the Hon'ble Mr. W. D. R. Prentice): (*a*) Yes. The 15th February was observed in many places as a day of mourning as a mark of respect to the memory of the late Pandit Motilal Nehru.

(*b*) Yes, when the celebrations were with the object stated in the answer to (*a*).

(*c*) Some processionists were dispersed near Gewankhali bazar, since the object of the procession was not merely condolence but to stir up the people towards further acts of civil disobedience. Several flags were seized, and Benoy Krishna Bag, Amulya Charan Bag and Surendra Ghorai were arrested. Government have no information of the seizure of a photo of Motilal Nehru.

(*d*) None in view of the circumstances specified.

(*e*) They have been released.

Mr. SYAMAPROSAD MOOKERJEE: With reference to answer (*c*), will the Hon'ble Member be pleased to state in what particular respect did the processionists attempt to stir up the people to further acts of civil disobedience?

The Hon'ble Mr. W. D. R. PRENTICE: I must ask for notice.

Mr. SYAMAPROSAD MOOKERJEE: Will the Hon'ble Member be pleased to state what is the basis of the statement which he has made in paragraph (*c*)?

The Hon'ble Mr. W. D. R. PRENTICE: A report from the District Magistrate of Midnapore.

Maulvi SYED JALALUDDIN HASHEMY: Will the Hon'ble Member be pleased to state———

The Hon'ble Mr. W. D. R. PRENTICE: I have already said we have no information at all. If the member wants a special inquiry made, we shall have this done.

Maulvi SYED MAJID BAKSH: Will the Hon'ble Member be pleased to state what special arrangements were made in respect to this procession?

The Hon'ble Mr. W. D. R. PRENTICE: No arrangements were made.

DEMANDS FOR GRANTS.

The discussion under the head "22.—General Administration" was then resumed.

Mr. NARENDRA KUMAR BASU: As I have just been assured by the Hon'ble Member that the office of the Press Officer is about to be abolished, I ask leave of the House to withdraw this motion.

The Hon'ble Mr. W. D. R. PRENTICE: I may perhaps explain the position. The Press Officer has two functions. One is that of Press Officer in which he exercises supervision over the various papers, but since the Press Ordinance has been withdrawn he does not exercise that function now. His other function is that of Publicity Officer in which he issues the Government *News Bulletin*, and furnishes official information to the Press for publication. In his second function he will continue the publication of the *News Bulletin* as Publicity Officer.

Mr. SYAMAPROSAD MOOKERJEE: May I ask question, Sir? Has it been decided by Government to continue this post?

The Hon'ble Mr. W. D. R. PRENTICE: This is the desire of Government. Since propaganda with regard to civil disobedience is no longer necessary, both sides of Government desire to continue this post for a further three months for propaganda work in connection with such things as co-operative credit, public health, etc.

The following motion was then, by leave of the Council, withdrawn:—

"That the demand of Rs. 3,13,000 under the head '22G.—Civil Secretariat (Reserved)—Judicial, Political and Appointment Departments' be reduced by Rs. 100 (question of exercise of function by the Press Officer and abolition of the post)."

The following motion was called but not moved:—

Maulvi ABUL KASEM: "That the demand of Rs. 3,13,000 under the head '22G.—Civil Secretariat—Judicial, Political and Appointment Departments' be reduced by Rs. 100 (waste of money by publishing the weekly bulletin)."

MUNINDRA DEB RAI MAHASAI: I beg to move that the demand of Rs. 3,13,000 under the head "22G.—Civil Secretariat—Judicial, Political and Appointment Departments" be reduced by Rs. 2 (policy in launching prosecutions for even trivial political offences).

Sir, this is also a token cut to express our views that we do not approve of the waste of public funds in launching prosecutions for trivial political offences. Sir, the law is intended to help the prevention of crime. It is a mistake to launch prosecutions for technical offences which ought to be condoned or overlooked. Prosecutions for such offences would be what is called '*mosha marte kaman pata*," *i.e.*, "to set the cannon to kill a mosquito." This would have little deterrent effect on the offender. On the contrary it would help cheap martyrdom.

The motion was then, by leave of the Council, withdrawn.

The Hon'ble Mr. W. D. R. PRENTICE: May I ask whether the subject matter of the next motion can be brought up here because the Act referred to is a Government of India Act, and it is not within the competence of this Council to take steps for its amendment? What the motion refers to is "the desirability of taking immediate steps for amending the Usurious Loans Act" and this is not within the power of this Council.

Mr. PRESIDENT: What is your point, Khan Sahib?

Khan Sahib Maulvi BAZLUL HUQ: I was going to recommend Government to take action for amending the Act.

Mr. PRESIDENT: The member has raised this point, and I think the local Government has the power to amend the Act, with the previous sanction of the Government of India. As that is the position, I think the matter can be discussed.

Khan Sahib Maulvi BAZLUL HUQ: I beg to move that the demand of Rs. 3,13,000 under the head "22.—General Administration—22G.—Civil Secretariat—Judicial, Political and Appointment Departments" be reduced by Re. 1 (to draw attention to the desirability of taking immediate steps for amending the Usurious Loans Act with a view to fixing the maximum rate of interest).

Sir, the provisions of the Usurious Loans Act practically failed to serve the purpose for which the Act was called into being. It conferred no appreciable benefit on those for whom it was intended. The Act is in operation for about 10 years. It could give our starving millions no relief worth mentioning. It gave the presiding officers discretionary powers to reduce the rate of interest if the Court considered the rate high and excessive. But in the practical field we find that the courts are very slow to make use of the power. Even if they do exercise it, the unfortunate debtors gain nothing in consideration of the costs they have incurred in setting the law in motion. The majority of the presiding officers of the courts have very little sympathy for the debtors. The reason is not far to seek. These officers, either themselves carry on money-lending business or their friends and relatives have such business. The unlucky debtors can expect no help from this class of officers. Extraneous efforts have to be made to convince the court that the rates of interest were heavy before the debtor could expect a relief and when judgment is pronounced they find to their utter surprise that the relief which the court was forced to give is too insignificant compared with the costs incurred. The debtors sometimes get much better relief from the mahajans themselves. The courts could not be prevailed upon to lower the rate from 37½ per cent. per annum. They never go below that rate. Sir, 37½ per cent. rate is certainly a very heavy and excessive rate. It is certainly usurious. The Usurious Loans Act supports this usurious rate. Bank rate of interest is not more than 6 per cent. per annum. The Co-operative Credit Society's rate ranges from 6 per cent. to 12 per cent. The profits out of landed properties never exceed 3 to 4 per cent. of the purchase money. Even the big money-lenders do not claim more than 12 per cent. and in many cases much less. The business men do not always expect more than 10 per cent. profit in spite of hard labour and with chances of risk. Why then should the mahajans sitting tight in his *baitakhana* and doing absolutely no work except counting money for forward and return transactions charge such a high rate of interest. They are becoming lazy and their bellies are becoming bigger and bigger. They feed on the scanty resources of the poor and starving multitudes.

Sir, we are striving every nerve on the floor of this House to effect economy by reducing expenditure in the name of our starving millions. These reductions, if effected, will not give these people any direct benefit. If we are really to help the needy and the distressed, let us try to save them from exploitation of unscrupulous and exacting mahajans. Let not the morsel of food which is the fruit of their very hard labour be taken away from their presence when they so unavoidably require it. Let not these most useful labouring class remain unfed and hungry. Help them in satisfying their appetite at least. Let not the class who is working day and night in the fields for our

comforts die out and be a prey to the overgreedy mahajan. Do not leave them to the mercy of the courts—a mercy which is to be got at high and inequitable premium. If you are to save them from the payment of exorbitant rates let the rate of interest be fixed. There is no harm in it. It will produce much better relief and result. It will save our men the cost of litigation and save them the trouble and save them the time to work in the field and elsewhere.

Dr. NARESH CHANDRA SEN GUPTA: Khan Sahib Maulvi Bazlul Huq has drawn attention to a matter which, anyone who knows the state of things in the country to-day will realise, is a matter of vital importance. I have made certain investigations in the matter and I have also looked into the reports of the intensive surveys of some villages made by the Banking Enquiry Committee and the result of these inquiries show that the agriculturists are in a hopeless state of indebtedness. The position has been made worse by the agitation in connection with Sarda Act as a result of which the people hastened to marry their young children and borrowed money at very high rates of interest. They did so in my district—Mymensingh—in the hope that by the time their jute would be sold they would be able to repay these loans. The jute crop has disappointed them with the result that they find themselves in a hopeless state of indebtedness. But I do not think the remedy suggested by the Khan Sahib will fully solve the problem. The problem is not one of reducing the rate of interest. The problem is a much larger one to help to liquidate the debts of the agriculturists. A great constructive effort has got to be made for the purpose and I would ask the Hon'ble Members and Ministers to put their heads together to find out a means by which they can lift the weight of indebtedness from the agricultural population of Bengal. Unless they can find out something and do something for them the economic future of Bengal will be hopeless. A most helpful suggestion is that made by Maulvi Jalaluddin Hashemy in a Bill of which, I understand, he gave notice but which could not be introduced for want of sanction of the Governor General. I submit this matter for consideration by Government whether it could not do something on these lines by which a scheme could be evolved for the progressive liquidation of the debts of the cultivators within a measurable distance of time. At present the movements which are directed towards the amelioration of their condition are not at all sufficient. The only such movement is that by means of co-operative societies. It has not even been able to touch the fringe of the question of indebtedness of the cultivators. I hope there will be no difference of opinion that the question of the indebtedness of the agricultural population of the country is a most vital question. The welfare of Bengal depends upon its agriculture and with an impoverished body of cultivators there can be no hope for the economic prosperity of the country.

Babu KISHORI MOHAN CHAUDHURI: Sir, I wish to say a few words in support of this motion. In view of the fact that the agricultural population of Bengal has to borrow money at a very high rate of interest, the amendment of the Act is within the competence of the Government of Bengal, as suggested, with the previous sanction of the Government of India. If we can provide some means to reduce this very high rate of interest it will be a great boon to people in all parts of the country. There was some proposal to that effect but I do not know whether anything has been done. In some cases agriculturists have to borrow money at 6¼ per cent. per month, *i.e.*, one anna on every rupee, which comes to 75 per cent. annually. If somehow or other, in any particular year, the agriculturists are not able to pay their debts, next year they have to pay with compound interest and they are ruined. There is a proposal, I understand, to introduce Co-operative Loan Mortgage Bill under which they will be able to borrow money at 6¼ per cent. per annum. If that is done it will be of great benefit to the country. This is a matter in which something ought to be done to arrest the progress of the indebtedness of the country. By this arrangement zamindars will be benefited also because the cultivators will be able to get money at very favourable rate of interest. With these few words I beg to support the motion.

Khan Bahadur Maulvi AZIZUL HAQUE: May I add only a few words in support of this motion. Under the orders of the Government of Bengal in the Judicial Department the question of the Usurious Loans Act was referred to the Banking Enquiry Committee and this Committee went carefully into the question and asked for all available information from all judicial officers in Bengal. The District Judges collected information from all Subordinate Judges so far as this Act is concerned. The consensus of opinion was that the Usurious Loans Act has failed in Bengal. Some rulings of the High Court and Privy Council have tried to nullify the purpose of the legislature.

The Government of Bengal ought to take some steps on the lines of the English Money-lenders Act in modification of the Usurious Loans Act. In the latter Act excessive rate is fixed at no specific rate with the result that in certain districts, say Birbhum for instance, a munsif considers that 12 per cent. is very excessive. In a month another munsif comes and considers that even 50 per cent. is not too much and this is the unfortunate result of the present Usurious Loans Act. Under the English Money-lenders Act any rate over 48 per cent. is considered to be excessive unless, in each particular case, it can be shown that it is not so. Therefore some elasticity can be brought into this Act. In our experience we find that 75 per cent. also is considered to be fair in some districts. I think the Government of Bengal may be asked to take steps to find out whether in the light of facts placed before the Banking Enquiry Committee some thing should not be done to fix

a rate which will benefit the people. This is a matter which is specially necessary in an agricultural country like ours. It is being done in Germany, America and England and in all countries where people depend so largely on their food produce. I therefore think that the Government should be asked either to consider the question of taking steps in the light of the recommendations of the Banking Enquiry Committee or to give us facilities to enable us to bring in a private Bill on the question. On this point I may say that I have given notice of a Bill on these lines and I hope, all facilities will be given by Government to bring this measure at an early date.

Maulvi ABDUL HAMID SHAH spoke in Bengali, the English translation of which is as follows:—

"Mr. President, the absence of a prescribed limit of the rate of interest in money-lending business has left the raiyats at the mercy of the money-lenders, who do not hesitate, in certain cases, to demand as much as 50 per cent. interest per month. Driven by want, the short-sighted and thriftless cultivators are compelled to borrow money at most exorbitant rates and thereby ruin themselves and their families. The unusual slump in the jute market during the past three years has brought matters to a crisis. The money-lenders have sunk all their capital in their business without much hope of extricating it if the present condition continues, while the raiyats have forgotten all about the piles of bonds executed by them and are taking to desperate measures for the sake of food. At the root of these outbreaks, as in the case of the Kishoreganj riots, is the problem of the high rate of interest.

There is no hope of improving this condition of things without amending the Usurious Loans Act. Mr. Prentice gave me a point blank refusal when I tried to sound Government's opinion about it. I now thank my friend Maulvi Baslul Huq for having raised this issue.

I should state in this connection that Government's policy of giving relief to the raiyats in this economic distress through the co-operative credit societies has failed and rural banks are going in liquidation one after another under the universal pressure of low prices. Under these circumstances, I support the motion moved by Khan Sahib Maulvi Baslul Huq."

Mr. K. C. NAG: The object of this cut is to draw attention to the desirability of taking immediate steps for amending the Usurious Loans Act with a view to fixing the maximum rate of interest. The Hon'ble Mr. Prentice has already told the House that the Usurious Loans Act is a central subject, and this Council cannot possibly amend the Act without the consent of the Governor-General. On that point, however, you, Sir, passed a ruling that it can be discussed by this Council. Dr. Sen Gupta has spoken of the desirability of giving relief

to the agriculturists. That is undoubtedly a very large question, but unfortunately that is a matter which does not concern the Judicial Department. The only important question that has been raised during the discussion is the one raised by Khan Bahadur Maulvi Azizul Haque, and we have been told that the Banking Enquiry Committee went into the subject very carefully, and that there is a proposal to bring forward a Bill to amend the Usurious Loans Act on the lines of the English Money-lenders Act. If as a matter of fact the Khan Bahadur will bring forward a Bill on that line for the consideration of the House, it will be considered on its own merits. Beyond that I have nothing to say. No doubt the agriculturists are hopelessly in debt, but that is a question with which Government in the Judicial Department is not concerned. With these words I oppose the motion.

The motion of Khan Sahib Maulvi Bazlul Huq was then put and a division taken with the following result:—

AYES.

Ali, Maulvi Hassan.
Ali, Maulvi Syed Nausher.
Baksh, Maulvi Shaik Rahim.
Baksh, Maulvi Syed Majid.
Banerji, Mr. P.
Bannerjee, Babu Jitendralal.
Barma, Rai Sahib Panchanan.
Basu, Mr. Narendra Kumar.
Chaudhuri, Babu Kishori Mohan.
Chaudhuri, Khan Bahadur Maulvi Ali-muzzaman.
Chaudhuri, Maulvi Syed Osman Haider.
Choudhury, Maulvi Nural Abcar.
Chowdhury, Haji Badi Ahmed.
Chowdhury, Maulvi Abdul Ghani.
Cooper, Mr. C. G.
Dain, Mr. G. R.
Dutt, Rai Bahadur Dr. Haridhan.
Ispahani, Maulvi Nur Rahman Khan.
Forrester, Mr. J. Campbell.
Ghose, Dr. Amulya Ratan.
Guha, Babu Prafulla Kumar.
Guha, Mr. P. N.
Gupta, Mr. J. N.
Hakim, Maulvi Abdul.
Haque, Khan Bahadur Maulvi Azizul.
Hashemy, Maulvi Syed Jalaluddin.
Hoque, Kazi Emdadul.
Hosain, Nawab Musharruf, Khan Bahadur.
Hossain, Maulvi Muhammad.
Huq, Khan Sahib Maulvi Bazlul.
Kasem, Maulvi Abul.
Khan, Khan Sahib Maulvi Muazzam Ali.
Khan, Maulvi Tamizuddin.
Khan, Mr. Razaur Rahman.
Lal Muhammed, Haji.
Law, Mr. Surendra Nath.
Luke, Mr. N. R.
Maguire, Mr. L. T.
Maiti, Mr. R.
Mittra, Babu Sarat Chandra.
Mookerjee, Mr. Syamaprasad.
Mukhopadhaya, Rai Sahib Sarat Chandra.
Norton, Mr. N. R.
Poddar, Seth Hunuman Prosad.
Rahman, Mr. A. F.
Rahman, Mr. A. F. M. Abdur-
Raikat, Mr. Prosanna Deb.
Rai Mahasai, Munindra Deb.
Ray, Babu Khetter Mohan.
Ray, Babu Nagendra Narayan.
Ray, Mr. Shanti Shekhareswar.
Ray Chowdhury, Babu Satish Chandra.
Rout, Babu Nessni.
Roy, Babu Satyendra Nath.
Ray, Mr. Saileswar Singh.
Ray Choudhuri, Babu Hem Chandra.
Sahana, Babu Satya Kinkar.
Salauddin, Mr. Khwaja.
Samad, Maulvi Abdus.
Sen Gupta, Dr. Naresh Chandra.
Shah, Maulvi Abdul Hamid.
Singh, Srijut Taj Bahadur.
Solaiman, Maulvi Muhammad.
Travers, Mr. W. L.
Wordsworth, Mr. W. C.

NOES.

Ali, Mr. Altaf.
Bal, Babu Lalit Kumar.
Bal, Mr. Sarat Chandra.
Banerji, Rai Bahadur Keshab Chandra.
Bashir Uddin, Maulvi Mohammed.
Blandy, Mr. E. N.
Bose, Mr. S. M.
Chaudhuri, Khan Bahadur Maulvi Hafizur Rahman.
Cohen, Mr. D. J.

Coppinger, Major-General W. V.
Das, Babu Satyendra Kumar.
Dash, Mr. A. J.
Dawson, Mr. G. A.
Faroqui, the Hon'ble Khan Bahadur K. G. M.
Fawcus, Mr. L. R.
Ganguli, Rai Bahadur Susil Kumar.
Ghuznavi, the Hon'ble Alhadj Sir Abdelkerim.
Gilchrist, Mr. R. N.
Gurner, Mr. C. W.
Hutchings, Mr. R. H.
Karr, the Hon'ble Mr. A.
Mitter, the Hon'ble Sir Provash Chunder.
Mullick, Mr. Mahunda Behary.
Nag, Mr. K. C.
Nag, Reverend S. A.
Nazimuddin, the Hon'ble Mr. Khwaja.
Philpot, Mr. H. C. V.
Poddar, Mr. Ananda Mohan.
Prentice, the Hon'ble Mr. W. D. R.
Reid, Mr. R. N.
Roy, the Hon'ble Mr. Bijoy Prasad Singh.
Sarkar, Rai Sahib Rebati Mohan.
Sen, Rai Sahib Akshoy Kumar.
Stapleton, Mr. H. E.

The Ayes being 65 and the Noes 34, the following motion was carried:—

"That the demand of Rs. 3,13,000 under the head '22.—General Administration—22G.—Civil Secretariat—Judicial, Political and Appointment Departments' be reduced by Re. 1 (to draw attention to the desirability of taking immediate steps for amending the Usurious Loans Act with a view to fixing the maximum rate of interest)."

3-45 p.m.

The following motion was called but not moved:—

MUNINDRA DEB RAI MAHASAI: "That the demand of Rs. 5,500 under the head '22G.—Civil Secretariat (Reserved)—Finance, Commerce and Marine Departments—Temporary Establishment' be reduced by Rs. 5,499-15."

Maulvi ABDUL KASEM: I beg to move that the demand of Rs. 2,89,000 under the head "22G.—Civil Secretariat (Reserved)—Finance, Commerce and Marine Departments" be reduced by Rs. 10 (to press the necessity of establishing scholarships for the Bengal students of the I.M.S. *Dufferin*).

I give notice of this motion to draw the attention of the House and of the Government to the necessity of establishing scholarships for the Indian Cadets of the Indian Mercantile Marine. Sir, this is a new move on the part of the Government to train Indian boys for a sea career, although ostensibly it is not intended for the mercantile marine, but as a matter of fact it would be a preparatory career for a real Indian mercantile marine for various ports. This is a new career for our boys and young men in other parts of India have taken to it except Bengal. Although the training ship has been in existence for the last five years, only in the first year there were two Bengali boys, in the second year there were also two boys and this year there has been none, for training. The difficulty is one of cost. The Government of Madras have established scholarships and although the Government of Bengal

have not done so, the Sindh Steam Navigation Company and another Company whose name I have forgotten, have established scholarships for Bombay students. The Punjab have also got a scholarship. There is, however, none in Bengal. I think the House will agree that it is necessary that the Bengali boys should not lose this opportunity for entering into a noble career; and those who have eyes to see, look forward to the future in the hope that these boys will form the recruiting force for an Indian Navy. I hope therefore that my motion will be accepted by Government.

The Hon'ble Mr. A. MARR: Sir, I am glad that Maulvi Abul Kasem has brought this matter to the notice of the House. He himself is the Bengal representative of the Governing Body of the School and he takes a very keen interest in the question of training boys for a mercantile marine career. Recently the Government of India have provided facilities for this training and a number of Steamship companies have agreed to take apprentices for training. It has distressed Maulvi Abul Kasem very much that Bengali boys have not come forward as candidates for this training, the reason being, as he says, want of money and he has proposed to remove this hardship by putting forward a proposal for establishing two scholarships. I am prepared to say at once that Government accept this principle and that as soon as finances permit Government will take steps to provide at least one scholarship. I hope that the hon'ble mover will not press his motion in view of this.

Maulvi ABUL KASEM: In view of the assurance given by the Hon'ble Member, I beg to withdraw my motion.

The motion of Maulvi Abul Kasem was then, by leave of the Council, withdrawn.

Khan Sahib Maulvi BAZLUL HUQ: I beg to move that the demand of Rs. 2,89,000 under the head "22.—General Administration—22G.—Civil Secretariat—Finance, Commerce and Marine Departments" be reduced by Re. 1 (to draw attention to the grievances of the residents of Hatiya and Sandip Islands, district Noakhali, in not having telegraphic communication with the mainland).

Sir, these islands are situated in the Bay of Bengal at the mouth of the river Megna———

[Here the time-limit under the head "22.—General Administration" having been reached the member resumed his seat.]

The motion of Khan Sahib Maulvi Bazlul Huq was then put and lost.

The motion that a sum of Rs. 1,03,32,000, as amended by the Council, be granted for expenditure under the head "22.—General Administration" was then put and agreed to.

The time-limit having been reached the following motions under the ıead "22.—General Administration" were not called :—

Maulvi MUHAMMAD FAZLULLAH: "That the demand of Rs. 6,90,065 under the head '22C.—Civil Secretariat (Reserved)—Pay ɔf Establishment' be reduced by Re. 1 [to draw attention of Government to the necessity of framing rules for the treatment of Head Assistants of the various departments of the Civil Secretriat towards heir junior Head Assistants and to protest against the ill treatment ıf the junior Assistants by the Head Assistants, specially by the senior Head Assistant of the Finance Department (Audit)]."

Rai Bahadur KESHAB CHANDRA BANERJI: "That the demand ɔf Rs. 22,000 under the head '22G.—Civil Secretariat (Reserved)—Travelling Allowance' be refused."

MUNINDRA DEB RAI MAHASAI: "That the demand of Rs. 42,000 under the head '22G.—Civil Secretarit (Reserved)—Allowances, Honoraria, etc' be reduced by Rs. 2 (policy in accommodating clerks sent to Darjeeling in Government quarters and elsewhere)."

Mr. NARENDRA KUMAR BASU: "That the demand of Rs. 89,525 under the head '22G.—Civil Secretariat (Reserved)—Contingencies' be reduced by Rs. 10,000 (cost of Press Officer)."

Rai Bahadur SATISH CHANDRA MUKHERJI: "That the demand f Rs. 8,90,000 under the head '22G.—Civil Secretariat (Reserved)' be educed by Rs. 50,000."

Mr. SYAMAPROSAD MOOKERJEE: "That the demand of Rs. 8,90,000 under the head '22G.—Civil Secretariat (Reserved)' be educed by Rs. 100 (desirability or otherwise of publishing the *Bengal News Bulletin* in future)."

Maulvi SYED JALALUDDIN HASHEMY and MUNINDRA DEB RAI MAHASAI: "That the demand of Rs. 8,90,000 under the head '22G.—Civil Secretariat (Reserved)' be reduced by Rs. 100 (question of eneral retrenchment of expenditure specially in the reserved epartments)."

MUNINDRA DEB RAI MAHASAI: "That the demand of Rs. 67,000 under the head '22H.—Civil Secretariat (Transferred)—Education Department' be reduced by Rs. 101 (want of provision for ublic libraries)."

Mr. K. C. RAY CHAUDHURI: "That the demand of Rs. 88,000 under the head '22H.—Civil Secretariat—Local Self-Government Department' be reduced by Rs. 500 (to raise a discussion on the travelling allowances drawn by the chairman, vice-chairman and members of the Jessore District Board)."

MUNINDRA DEB RAI MAHASAI: "That the demand of Rs. 88,000 under the head '22H.—Civil Secretariat (Transferred)—Local Self-Government Department' be reduced by Rs. 105 (action of the Subdivisional Officer, chairman of the Local Board of Uluberia, in regard to tube-wells and also unsatisfactory way in which the Champdany Municipality is being administered)."

Maulvi NUR RAHMAN KHAN EUSUFJI: "That the demand of Rs. 88,000 under the head '22H.—Civil Secretariat—Local Self-Government Department' be reduced by Rs. 100 (to draw attention to the public discontent for withdrawal of the right of election of the chairman from the Mymensingh District Board)."

Khan Bahadur Maulvi AZIZUL HAQUE: "That the demand of Rs. 88,000 under the head '22H.—Civil Secretariat (Transferred)—Local Self-Government Department' be reduced by Re. 1 (to recommend that the Ministry of Local Self-Government should immediately appoint a committee to investigate the present financial resources of the district boards, to find out their financial needs, to explore the possibilities of financial expansion and further to recommend that steps should be taken to prepare a Local Self-Government Manual for the guidance of district boards)."

Babu KHETTER MOHAN RAY, Dr. JOGENDRA CHANDRA CHAUDHURI, Mr. SARAT KUMAR ROY, MUNINDRA DEB RAI MAHASAI, Babu SATISH CHANDRA ROY CHOWDHURY, and Mr. K. C. RAY CHAUDHURI: "That the demand of Rs. 88,000 under the head '22H.—Civil Secretariat—Local Self-Government Department' be reduced by Re. 1 (present administration of the District Board of Jessore and necessity of an immediate inquiry)."

Mr. K. C. RAY CHAUDHURI: "That the demand of Rs. 88,000 under the head '22H.—Civil Secretariat—Local Self-Government Department' be reduced by Re. 1 (to raise a discussion on the inclusion in or exclusion from the voters' list for the ensuing election of the local boards in the district of Jessore by the authorities of the Jessore District Board)."

Khan Sahib Maulvi BAZLUL HUQ: "That the demand of Rs. 68,000 under the head '22.—General administration—22H.—Civil Secretariat (Transferred)—Agricultural and Industries Department' be reduced by Re. 1 (to raise a discussion on the failure of the department to render any real help to the people)."

MUNINDRA DEB RAI MAHASAI: "That the demand of Rs. 8,90,899 under the head '22G.—Civil Secretariat—Pay of establishment (Reserved and Transferred), be reduced by Re. 1 (none but Bengalees and those domiciled in Bengal should in future be recruited in filling appointments including ministerial and menial appointments)."

Mr. MUKUNDA BEHARY MULLICK: "That the demand of Rs. 8,90,899 under the head '22G.—Civil Secretariat (Reserved and Transferred)—Pay of establishment' be reduced by Re. 1 (there is not a single member of the backward classes in the whole ministerial staff of the Secretariat and for an immediate provision in this direction)."

Rai KESHAB CHANDRA BANERJI Bahadur: "That the demand of Rs. 4,300 under the head '22H.—Civil Secretariat (Transferred)—Travelling Allowance' be refused."

MUNINDRA DEB RAI MAHASAI: "That the demand of Rs. 11,000 under the head '22H.—Civil Secretariat—Allowances, Honoraria, etc.' be reduced by Rs. 5 (policy followed in accommodating clerks sent to Darjeeling in Government quarters and elsewhere)."

Rai Bahadur SATISH CHANDRA MUKHERJI: "That the demand of Rs. 2,70,000 under the head '22H.—Civil Secretariat (Transferred)' be reduced by Rs. 20,000."

Mr. SARAT CHANDRA BAL: "That the demand of Rs. 2,70,000 under the head "22H.—Civil Secretariat (Transferred)' be reduced by Re. 1 (policy with reference to backward classes in transferred departments)."

Rai Bahadur KESHAB CHANDRA BANERJI: "That the demand of Rs. 1,500 under the head '22I.—Board of Revenue—Travelling Allowance' be refused."

MUNINDRA DEB RAI MAHASAI: "That the demand of Rs. 78, under the head '22I.—Board of Revenue' be reduced by Rs. 51 (appointment of managers and other officers of estates under the Court of Wards)."

Maulvi MUHAMMAD FAZLULLAH: "That the demand of Rs. 78,000 under the head '22I.—Board of Revenue' be reduced by Re. 1 (to protest against the inadequate appointments of Mussalmans in the office of the Board of Revenue and offices under the Court of Wards in Bengal)."

Mr. NARENDRA KUMAR BASU, Maulvi SYED JALALUDDIN HASHEMY, Babu SATYENDRA NATH ROY and MUNINDRA DEB RAI MAHASAI: "That the demand of Rs. 2,98,000 under the head '22K.—Commissioners' be refused."

Babu JITENDRALAL BANNERJEE, Maulvi ABUL KASEM, Maulvi ABDUL KARIM and MUNINDRA DEB RAI MAHASI: "That the demand of Rs. 2,98,000 under the head '22K.—Commissioners' be reduced by Rs. 101 (superfluous nature of these appointments)."

Mr. NARENDRA KUMAR BASU: "That the demand of Rs. 31,90,000 under the head '22L.—District Administration—Pay of Officers' be reduced by Rs. 3,19,000."

MUNINDRA DEB RAI MAHASAI: "That the demand of Rs. 31,90,000 under the head '22L.—District Administration—Pay of Officers' be reduced by Rs. 1,00,000."

Babu SATISH CHANDRA ROY CHOWDHURY: "That the demand of Rs. 31,90,000 under the head '22L.—District Administration—Pay of Officers' be reduced by Rs. 10 (growth of expenditure under this head and combination of the judicial and executive functions)."

MUNINDRA DEB RAI MAHASAI: "That the demand of Rs. 12,70,000 under the head '22L.—General Establishment—Pay of clerks' be reduced by Re. 1 (retrenchment of clerks)."

Mr. SARAT CHANDRA BAL: "That the demand of Rs. 19,11,894 under the head '22L.—District Administration—Pay of establishment' be reduced by Re. 1 (grievances of clerks and servants)."

MUNINDRA DEB RAI MAHASAI: "That the demand of Rs. 3,90,000 under the head '22L.—General Establishment—Travelling Allowance' be reduced by Rs. 1,00,000."

MUNINDRA DEB RAI MAHASAI. "That the demand of Rs. 62,000 under the head '22L.—General Establishment—House-rent and other allowances' be reduced by Rs. 15,000."

MUNINDRA DEB RAI MAHASAI: "That the demand of Rs. 1,95,000 under the head '22L.—General Establishment—Remuneration to copyists be reduced by Re. 1 (desirability of placing the remuneration to copyists on a fixed salary basis)."

MUNINDRA DEB RAI MAHASAI: "That the demand of Rs. 3,20,000 under the head '22L.—General Establishment—Landlords' fee establishment' be reduced by Rs. 20,000."

MUNINDRA DEB RAI MAHASAI: "That the demand of Rs. 3,20,000 under the head '22L.—General Establishment—Landlords' fee establishment' be reduced by Rs. 100 (difficulties of a co-sharer landlord to withdraw his share of the landlords' fee)."

Maulvi HASSAN ALI: "That the demand of Rs. 3,20,000 under the head '22L.—General Establishment—Landlords' Fee' be reduced by Rs. 100 (to raise a discussion regarding the bad procedure in respect of deposit withdrawal, notices, etc., in connection with the landlords' fees)."

Rai KESHAB CHANDRA BANERJI Bahadur: "That the demand of Rs. 3,20,000 under the head '22L.—General Establishment—Landlords' fee establishment' be reduced by Re. 1 (difficulty of landlords in withdrawing landlords' transfer fees and undesirability of meeting establishment charges from the accumulated landlords' fees)."

Babu JITENDRALAL BANNERJEE: "That the demand of Rs. 69,04,000 under the head '22L.—District Administration' be reduced by Rs. 10,00,000."

Babu KISHORI MOHAN CHAUDHURI: "That the demand of Rs. 69,04,000 under the head '22L.—District Administration' be reduced by Rs. 2,50,000."

Babu JITENDRALAL BANNERJEE: "That the demand of Rs. 69,04,000 under the head '22L.—District Administration' be reduced by Rs. 101 (to raise a discussion about the conduct of some District Officers and the inefficiency and wastefulness of the present system of district administration)."

Mr. P. BANERJI: "That the demand of Rs. 69,04,000 under the head '22L.—District Administration' be reduced by Rs. 100 (conduct of district administration)."

Mr. MUKUNDA BEHARY MULLICK: "That the demand of Rs. 69,04,000 under the head '22L.—District Administration' be reduced by Re. 1 (to set apart annually at least twenty per cent. of the appointments in the Bengal Civil Services as also of those in the ministerial staff for the candidates of the Namasudra community and other backward communities as enumerated on page 189, Part I of the Calcutta University Commission's Report)."

MUNINDRA DEB RAI MAHASAI: "That the demand of Rs. 89,500 under the head '22O.—Discretionary grants by heads of provinces, etc.' be reduced by Re. 1 (necessity for a clear-cut programme in using this discretionary grant)."

Maulvi HASSAN ALI: "That the demand of Rs. 1,03,32,000 under the head '22.—General Administration' be reduced by Rs. 38,74,500."

Maulvi ABDUL KARIM: "That the demand of Rs. 1,03,32,000 under the head '22.—General Administration' be reduced by Rs. 100 (top-heavy administration too costly to be borne by the finances of the presidency)."

Maulvi SYED JALALUDDIN HASHEMY: "That the demand of Rs. 1,03,32,000 under the head '22.—General Administration' be reduced by Rs. 100 (maladministration during the last few months)."

Maulvi SYED JALALUDDIN HASHEMY: "That the demand of Rs. 1,03,32,000 under the head '22.—General Administration' be reduced by Rs. 100 (note of warning to the Government for the impending danger of bankruptcy)."

Khan Bahadur Maulvi AZIZUL HAQUE: "That the demand of Rs. 1,03,32,000 under the head '22.—General Administration' be reduced by Rs. 10 (to recommend that steps be immediately taken to investigate the possibilities of effective retrenchment as far as possible in the expenditure of the Government of Bengal so as not to exceed the actuals of the year 1926-27 or 1925-26 whichever is greater)."

MUNINDRA DEB RAI MAHASAI: "That the demand of Rs. 1,03,32,000 under the head '22.—General Administration' be reduced by Rs. 10 (top-heavy administration)."

Babu SATISH CHANDRA ROY CHOWDHURY: "That the demand of Rs. 1,03,32,000 under the head '22.—General Administration' be reduced by Re. 1 (to discuss the top-heavy character of the administration and the failure of the Government to effect retrenchment)."

Maulvi SYED MAJID BAKSH: "That the demand of Rs. 1,03,32,000 under the head '22.—General Administration' be reduced by Re. 1 (to draw attention to the inability to take prompt and timely measures to cope with the present depressing financial situation in the province)."

Khan Sahib Maulvi BAZLUL HUQ: "That the demand of Rs. 1,03,32,000 under the head '22.—General Administration' be reduced by Re. 1 (to draw attention to the paucity of the Mussalman employees in almost all the departments)."

Babu SATYENDRA NATH ROY: "That the demand of Rs. 1,03,32,000 under the head '22.—General Administration' be reduced by Re. 1 (top-heavy administration and urgent necessity of retrenchment)."

Mr. SARAT CHANDRA BAL and Rai Bahadur KESHAB CHANDRA BANERJI: "That the demand of Rs. 1,03,32,000 under the head '22.—General Administration' be reduced by Re. 1 (policy with reference to backward classes)."

Maulvi NUR RAHMAN KHAN EUSUFJI: "That the demand of Rs. 1,03,32,000 under the head '22.—General Administration' be reduced by Re. 1 (necessity for discontinuing the policy of Hill Exodus specially in view of the present financial crisis)."

Khan Bahadur Maulvi AZIZUL HAQUE: "That the demand of Rs. 1,03,32,000 under the head '22.—General Administration' be reduced by Re. 1 (to recommend the appointment of a Retrenchment Committee of three officials and five non-official members of the Council to investigate the possibilities of permanent economies in expenditure)."

Maulvi MUHAMMAD FAZLULLAH: "That the demand of Rs. 1,03,32,000 under the head '22.—General Administration' be reduced by Re. 1 (to protest against the retention of Executive, Revenue, Police and ministerial officers in one district for more than the prescribed period against Government orders, circulars and Board's rules)."

Maulvi MUHAMMAD FAZLULLAH: "That the demand of Rs. 1,03,32,000 under the head '22.—General Administration' be reduced by Re. 1 (to bring to the notice of Government the necessity of not appointing or retaining Law students in various departments of Government in Calcutta and Dacca, as they resign their posts after passing the Law Examination and thereby causing loss to the Government and the country)."

24.—Administration of Justice.

The Hon'ble Mr. W. D. R. PRENTICE: On the recommendation of His Excellency the Governor I beg to move that a sum of Rs. 85,22,000 be granted for expenditure under the head "24.—Administration of Justice."

Maulvi TAMIZUDDIN KHAN: I beg to move that the demand of Rs. 1,43,100 under the head "24A.—High Court" be reduced by Rs. 1,000 (to criticise the policy followed in the selection of munsifs).

Sir, my object in bringing forward this motion is to draw the attention of the House and the Government to the system followed in recruiting munsifs and how on account of that system there is no fair distribution of the posts among the various communities. First of all it will be seen that munsifs are recruited not by the Government of Bengal, but by the High Court under the Civil Courts Act and in that view it can be said that the Government of Bengal is not primarily responsible for the appointment of munsifs. But as they are paid by the Government I think Government cannot altogether deny responsibility in the matter. Nowadays we see that the salutary practice of giving importance to the number of years for which a particular candidate has practised in the law courts, has been given up and on account of that the gentlemen who are now appointed as a matter of fact are handicapped to a large extent on account of lack of practical experience of the work of a civil court. It seems, therefore, very unsatisfactory that these munsifs, should be recruited from pleaders who are raw in their practice and who have practically no experience of the working of the civil courts.

4 p.m.

It seems to me that it is far better to recruit these officers from the Bar. Secondly, I want to draw the attention of the House to one anomaly, namely, that these munsifs are not required to try criminal cases most of their life, but when they are appointed as Sub-Judges they are suddenly called upon to function as criminal courts and they are within a short time after that raised to the position of District and Sessions Judges. I think, Sir, there is a feeling in the country that these officers are not generally up to the mark so far as the trial of criminal cases are concerned. I do not know how this state of things has been allowed to continue for so long a time, and I think it is high time that the whole system should be revised and a better method of recruitment should be adopted. Then, Sir, it seems to be an irony of fate that Muslims are not adequately represented in the Judicial Service. Till recently hardly any Muslims

could be found in this Service. During the past few years, however, there has been some improvement. The situation is yet extremely unsatisfactory. Nowadays, Sir, a sufficient number of duly qualified Muhammadan graduates-in-law are available and the present allotment of about 30 per cent. of the appointments to Moslems can hardly satisfy the demands of a community, which has so long been neglected so far as appointments in this department are concerned. The Moslem community can surely supply nowadays an adequate number of qualified candidates for appointment in this service. Therefore it cannot be said that the paucity of Moslems in the Judicial Service is due to the paucity of qualified candidates. In other departments of Government the Moslems get a higher share of the appointments, but it is extremely regrettable that in this very important department the claims of Moslems have not been properly recognised. Government is no doubt not primarily responsible in this matter, but it cannot altogether absolve itself of responsibility for this state of things. If the Civil Courts Act is responsible for this it must be said that Government has not taken any serious steps to see that the existing Act is amended.

With these words I commend my motion to the acceptance of the House.

The Hon'ble Mr. W. D. R. PRENTICE: Sir, the question of recruitment to the various services and of the proper representation of the various communities in the various services presents a knotty problem. As regards appointments made by Government we have one section of the community pressing for a certain percentage of the appointments for that community and we have representation from another section, the backward section, that at least 20 per cent. of the posts should be filled by men of that community. Now we find that a third section considers that in making appointments to the Judicial Service the High Court do not take a sufficient number of men from the Moslem community. Well, Sir, in all these cases there are tremendous difficulties and I can assure the House that the Appointment Department, when the time comes for making appointments to the various services, is considerably worried in calculating the weightage which should be given to the various communities in connection with various kinds of appointments. In the case of the other departments the responsibility lies with Government, but in this case the responsibility, as I have pointed out before, lies not with Government at all. Under section 7 of the Act it is the duty of the High Court to nominate such persons, as it thinks fit, for appointment as munsifs, and the local Government makes the appointment accordingly. Government, however, are not unmindful of the interests of the Moslem community in this connection, because they have from time

to time communicated with the High Court and pointed out that in the matter of appointment to the services for which Government are responsible they have adopted, so far as possible, certain percentages in order to secure adequate representation of the various communities in the various services. They have asked the High Court, so far as is consistent with the proper performance of their duty, to bear in mind the desirability of nominating an adequate number of Muhammadans for appointment to the Judicial Service. The mover of the motion has admitted that during the past few years the High Court has taken cognizance of the recommendation of Government and has selected roughly about one-third of the candidates from amongst the Muhammadan community. Still the complaint is that the number of appointments from that community has been insufficient. I do not know what figure the hon'ble member would desire, because figures must vary in the different services. If he desires that the proportion should correspond to the Provincial Executive Service, all I can say on behalf of Government is that I will communicate the discussion in the Council to-day to the High Court for its consideration. I cannot answer what steps the High Court will take on this communication.

The last complaint is that Government have not taken any steps to amend the Act in order to take away the power of appointment from the High Court and to put it in the hands of the Executive Government. Sir, in connection with the Simon Commission this question came up for consideration. We took up the question about the responsibility with regard to the recruitment of the Provincial Judicial Service not from the communal point of view, but from the point of view of efficiency, and our view was that in the future, when provincial autonomy came into existence, it would certainly create difficulties if the Government of the day could not enforce its policy with regard to the representation of the various communities in one of the most important provincial services. We said that it was better that the appointments should lie with the Government which ex-hypothesi would be in future a Government which was representative of the Council. That point has already been raised, and as a matter of fact, we went up to the Government of India some years ago in connection with a legal question arising out of the same problem. The Government of India then refused to take up the question of amending the Act. I assure Maulvi Tamizuddin Khan that the matter has been considered fully and at the time of the Simon Commission inquiry we did take the matter into consideration and our recommendation was that if the matter were placed in the hands of Government, the Government of the future, when provincial autonomy came, would be placed in a better position to make appointments to the provincial services with due regard to the claims of the

various communities. I would therefore ask Maulvi Tamizuddin Khan to withdraw his motion.

[Maulvi Tamizuddin Khan asked for the leave of the Council to withdraw his motion to which Mr. Narendra Kumar Basu objected.]

The motion of Maulvi Tamizuddin Khan was then put and lost.

Mr. PRESIDENT: Mr. Narendra Kumar Basu objected to the withdrawal of the motion but he did not support it when I put it.

Mr. NARENDRA KUMAR BASU: I objected in order to have the motion negatived.

4-15 p.m.

Mr. MUKUNDA BEHARY MULLICK: Sir, I beg to move that the demand of Rs. 14,70,000 under the head "24F.—Civil and Sessions Courts—Pay of Munsifs" be reduced by Re. 1 (to set apart annually at least twenty per cent. of the appointment as munsifs for the candidates of the Namasudra community and other backward communities as enumerated on page 189, Part I, of the Calcutta University Commission's Report).

Sir, in connection with this motion I hope to be very brief in putting my views before the House on this subject of the Administration of Justice and how in this case also our legitimate claims have been absolutely ignored. I shall confine my remarks to the appointment of officers in the Provincial Judicial Service as munsifs to start with, who become Subordinate Judges later on, and of the clerks as ministerial officers in the Civil Courts and offices in the districts, subdivisions and mufassal *chowkis* wherever they exist in this Province.

You will find, Sir, that in this also our candidates have been very poorly treated. There are about 300 officers in the judicial service as munsifs and the Government with their talks about their sympathetic feeling for the backward classes have been generous enough to make only one appointment and that was so far back as 1920. That candidate was a 1st class man in his Law degree and an M. A. too. So there was no question of any sympathetic consideration being made for him as we find that candidates belonging to some of the privileged classes with inferior qualifications were also appointed in that year and in subsequent years. But that even-minded Judge Sir William Teunon felt the justice of the situation and was just enough to nominate him and the Government was pleased to make the appointment.

You will find, Sir, that section 7 of the Bengal, Assam and North Western Provinces Civil Courts Act, Act XII of 1887, lays down the procedure how munsifs are to be appointed. Sub-section (*1*) of that section says in brief that on the nomination of the High Court the local Government shall make the appointment of the munsifs. Sub-section (*2*) says that the local Government may, after consultation with the High Court, make rules as to the qualifications of persons to be appointed to the office of a munsif. Sub-section (*3*) says that when the rules have been made under sub-section (*2*) a person shall not be nominated under sub-section (*1*) unless he possesses the qualifications required by the rules. And one knew that amongst others these were that a candidate must be a graduate in law and must be a pleader of a mufassal court or of the High Court. The rule also was that for a mufassal court pleader, he must have practised for three years and for a High Court vakil he must have practised for two years; and before appointment a candidate must be on the enrolled list; there has been some modification now in so far as the rule about the number of years of practice has been varied. But we were told the other day by the Hon'ble Member in charge of the Judicial Department that there were no rules now that govern these appointments.

Now, Sir, I know that in the last three or four years about 100 appointments were made by the Government of Bengal on the nomination of the High Court. I also know that there were candidates for these appointments amongst the backward or depressed classes. I know there were at least half a dozen candidates qualified under the rules laid down by the Government and that some of them were even M.A., B.L.'s. But for reasons not known to us, not a single appointment has been made from amongst these candidates. You will find, Sir, that of the appointments made there were candidates who besides passing their B. L. degree examination and getting themselves enrolled as pleaders, never held any brief nor attended any court as a pleader at all. Nay, some of them even were acting as teachers in schools and colleges. Nice idea it was to find a transformation of a teacher into a judicial officer, while the claims of those few of our qualified candidates were overlooked.

Now, Sir, question may be asked whether there are qualified candidates from amongst the members of the backward classes for appointment in the Judicial Department as munsifs. I am only glad to inform the House that there are in the present moment hundreds of very qualified candidates under the rules. But they do not come forward in a body for these appointments as they find that the Government have not considered the cases of those few of their members who are candidates already with any degree of fairness and justice.

Question has sometimes been asked as to who are those backward classes. It is unfortunate that the Government officials also pretend ignorance of the fact. Sir, to a question of this type reply was given in this House by the Hon'ble Sir Hugh Stephenson, that they had adopted the list given in the Calcutta University Commission's Report for all practical purposes and it was not open to any further moot. It is also to be found in the notification of the Appointment Department of the Government of Bengal.

I think the Government may say that in regard to this question of the appointment in the Judicial Service the matter lies with the High Court and the Government of Bengal cannot do anything. To this, Sir, my answer is that the Government cannot shirk their duty under a cloak of this sort. We cannot get the High Court here, nor do we find from the rules that the High Court makes the final appointment as these lie with the Government finally. There was some discussion on the subject some time ago but I understand that the High Court and the Government have correspondence with each other before the matter of appointments is finally settled.

Sir, I hope I shall not be misunderstood; for I must make it clear that I do not lay any claim on the basis of percentage of population at all. But what I do maintain is that when there is a tendency towards Indianisation of services as far as practicable, perhaps the desire is natural and at the same time just for our people also to have some share in the administration when there are qualified candidates to undertake the responsibility to some degree and not only to find out a job. This has also the object of giving an impetus to the less educated members of the community towards education.

This, Sir, is our experience in this department and this is, in brief, the treatment meted out to us. I think, Sir, it is high time now that the angle of vision of all concerned, specially that of the Government, should be changed and the latter must make its subjects feel that they have confidence in their judicial administration and that they have also a share in the same. We know the present Judicial Member is sympathetic towards our just claim and we would only request him and the Government to be true and just towards our proper claims.

With these few words I beg to commend my motion to the acceptance of this House.

Mr. PRESIDENT: Mr. Mullick, are you going to move motion 401 also which stands in your name?

Mr. MUKUNDA BEHARY MULLICK: I am not going to take it up now.

Mr. PRESIDENT: If Nos. 401, 402 and 403 are moved the discussion may be on one principle.

Mr. MUKUNDA BEHARY MULLICK: I beg to move that the demand of Rs. 14,70,000 under the head '24F.—Civil and Sessions Courts—Pay of Munsifs' be reduced by Re. 1 (certain aspects of the appointments made in the last four years).

Sir, my desire in bringing forward a motion like this is to show how a sacred duty vested in the High Court under the Statute has been misused resulting in a failure of administration of justice in the mufassal. I indicated in the last motion of mine regarding the backward classes, the provisions of the Statute that govern these appointments. The Government may say that they have nothing to do with these matters as these are done by the High Court. But, Sir, you will find that the Government cannot take shelter under that plea; and if it maintains that position even now, it has signally failed to discharge its duty. For section 7 (*2*) says that the Government in consultation with the High Court is to make rules laying down the qualifications of persons to be appointed as munsifs and under sub-section (*3*) of that section, when these rules are made, no person shall be appointed unless he possesses those qualifications required by the rules.

I was startled to hear the other day in reply to a supplementary question put by one of my friends, I think Maulvi Saiyid Majid Baksh, if there were any rules in this direction. The Hon'ble Member said that there was none. What is the result that has followed? One thought that at least these were done by that committee known as the English Committee consisting of several Judges with the Chief Justice as its *ex-officio* President. But even this is not done. Further, the Hon'ble Member said the other day that it was done by the senior Judge in charge of the English Department in consultation with the Chief Justice. But one knows that the Chief Justice never interferes in these matters.

You will find, Sir, that in the last four years about 100 officers have been appointed as munsifs. There are among these new officers —men, who besides possessing their B.L. degree qualification and in some cases getting themselves enrolled as pleaders, never held any brief nor attended any court as a pleader. I hope the present Judicial Secretary Mr. K. C. Nag will agree with me when I say that there are officers amongst the new recruits who were not even enrolled as pleaders at all. Nay—some of them even were acting as teachers in schools and colleges. Nice idea it was to find a teacher transformed into a Judicial officer! I remember of a story about a certain professor in Bihar giving his evidence before the Service Commission some time ago, when he suggested that there should be an exchange

of officers in all the Imperial services—Educational, Judicial, Executive and so on. And I remember one of the local dailies commented upon the same saying that it would be a nice idea of an officer teaching Mathematics in a class of students, and that officer superintending settlement operations in the mufassal the next day and the day after deciding a complicated title suit as a Judge. But, Sir, here is a startling example of the unification of the several services in these newly recruited munsifs!

Something more you will find, Sir, that some of these candidates as said above were appointed to this office a few days after they got their pleaders' licences and had barely any experience of how things happen in the courts of law. There is a great danger in such appointments; for you will see that there is a distinction between an Executive officer and a Judicial officer. The first gets a probationary training for a couple of years under the District Officer and has also to pass a test in the departmental examinations in the various subjects before he is confirmed and before he is given any independent work. But it is different with a munsif, who, when he is appointed as such and as soon as he takes his seat, becomes a full-fledged officer and is called upon to discharge the duties in the same way as an experienced officer of several years' standing. Those of my friends who have seen the discharge of duties by these new recruits will agree with me, I hope, how unsatisfactory the matter is. It must be admitted that the stability of the Government depends upon the fair and true administration of justice and we cannot expect a novice of this type to inspire that confidence in the public minds at all.

I shall not indulge in any discussion as to how some of these officers by their conduct have proved themselves utterly unfit as judicial officers. One is told that the conduct of a few at least is under investigation. You see therefore that the old rule of enrolment of candidates after a few years' practice is abandoned and no provision is made for proper training of these new recruits. The initial pay now offered to these candidates must be considered to be very attractive to any pleader of five years' standing in the mufassal. And if the authorities had only desired, they would have got very good candidates for the Judicial Service who would have been able to inspire confidence in the public minds. They have adopted a rule of candidates obtaining a first class in their law examinations though they have not followed the same in all cases. I would not have laid a great stress upon this, if I were convinced that obtaining a first class in any examination is the surest guarantee of an officer proving efficient. But experience shows that it is not so. I do not desire to penalise education by saying that to secure a first class is nothing. I do not say anything of the kind. But what I do say is that this is not the only test to have efficient officers. Again, if to obtain a first

class in a B.L. degree is the only essential qualification for the munsif whose is the lowest Court under the Bengal Civil Courts Act, what qualifications would be necessary for the Subordinate and the District Judges and what again would be for the High Court Judges? What would be the qualifications for the members of the Provincial Executive?

I suggest, therefore, whatever may be the educational qualifications of an intending candidate for the post of a munsif he must put in some years' experience at the Bar and this must be considered as essential as it was under the old rules. The rules as contemplated under section 7 (2) must be definitely settled at once to avoid misunderstandings of the type that exist in public minds.

With these words I beg to commend my motion to the acceptance of the House.

4-30 p.m.

Babu SATISH CHANDRA RAY CHOWDHURY: I beg to move that the demand of Rs. 25,47,500 under the head "24F.—Civil Sessions Courts—Pay of Officers" be reduced by Rs. 100 (present method of recruitment of judicial officers and their emoluments).

The method of recruitment of judicial officers is a grievance almost as old as the Service. On the soundness of judicial decisions depends largely the preservation of the rights and liberties of the people. If this foundation of public security is taken away, or impaired public confidence in the general administration is bound to be shaken and the whole fabric of the system of a civilised Government is ultimately bound to fall into decay.

A strong and capable and at the same time an independent judiciary is therefore essential for any civilised system of administration. It is the more so in this country where we have got to deal with an irresponsible executive and where the legal system has not yet attained the perfection that it has on the western world, wherefrom our present system has been copied. For the discharge of such important functions two methods and two methods only can appeal to commonsense. The one is the method of competitive examination and the other a method of selection from experienced members of the Bar. While the first method is partially adopted in the selection of the members of the Executive Services, this is tabooed in the case of the more important service, namely the Judicial, perhaps because it cannot be regarded as the only satisfactory test.

The rule at present obtaining is a three years' practice at the Bar before enrolment in the Provincial Judicial Service. Law, Sir, is a highly technical subject and success in this profession does not come to all. Natural talents and aptitude sharpened by constant practice

and experience can only fit a man to be a good lawyer and a good judge. It is this truth which explains the fact that there are both princes and beggars in this profession. The artificial rule of three years' practice is a very inadequate test to judge a man's qualification for the Judicial Service by. The first three years and more are years of watching and waiting, and are hardly enough to enable a man to learn even the A B C of this highly technical branch of knowledge. Besides, those who are selected for the Judicial Service know from the very beginning that their chances do not depend at all on their success at the Bar, but on other circumstances—adventitious many of them—which are already in their favour, so they do not put forth that amount of exertion and earnestness in their work as otherwise they would have done. If anything, they forget within this time the little law they acquired for the purpose of the examinations.

When these people with such inadequate equipment are selected from the Bench to sit as munsifs, with few honourable exceptions, they generally betray a lamentable want of knowledge as to how to deal with facts and law and try to make up their poverty of knowledge and experience by the assumption of a supercilious tone and by the mere outturn of work, which unfortunately is the principal thing which has come to be regarded as a recommendation for promotions. No doubt some of them acquire in the processes of time the necessary experience and knowledge but at what cost and sacrifice to the litigants, who will say?

From the munsifship to sub-judgeship the promotion is mostly based on seniority. Seniority may be a good test for promotion in the clerical services, but to regard that as a factor and a principal factor in promotion in the Judicial Service is to show an ignorance of the elements which enter into and ought to enter into the composition of a good Judge. The result of this mode of selection is daily apparent in the failing or diminishing confidence of the litigant public in our judiciary and in the widespread discontent with the system amongst the members of the Bar. The Bench to-day is very much weaker than the Bar—a fact which is a hindrance to speedy and real justice.

Sir, if the High Court is regarded as the Palladium of justice, it is because quite a different method is followed in the selection of Judges there. Heredity and University degrees are not the passports, or only passports there. Those honoured names in the roll of Judges beginning with the late illustrious Justice Dwarikanath and ending with—I hope the list is not closed—the late Justice Sir Ashutosh, who have shed a lustre on the history of the High Court at Fort William in Bengal, were selected from the most successful members of the profession. Why cannot the same method be followed in the selection of the subordinate judiciary? Is it because people so selected will be less servile to the Government? Is it because they will be more

independent? Is it because they will think more of the quality of work than of the outturn? In fact, these experienced lawyers possessed of great legal acumen are the only persons who can show better outturn without sacrificing quality. In fact, the attention of the Civil Justice Committee was particularly drawn to this position and they recommended selection from the senior experienced members of the Bar. I will not trouble you with quoting extracts which are always regarded as an infliction by this House. Suffice it to say that the few selections that were made to Additional District Judgeships did not yield any disappointing result. One gentleman so selected from our own Bar who is sitting opposite to us to-day, has proved his mettle and the High Court and the Government of Bengal have not been slow to recognise his merit. We are hoping that higher laurels await him in this service.

If the method of selection as suggested is sound in principle and has been found by experience to have yielded such splendid results, then why not extend its scope and why not adopt it in the case of selection to all grades of the service?

I think, Sir,—and I am fortified by the opinions of the Bars generally who are the only competent bodies who can speak on this subject with authority—that all our judicial officers from top to bottom should be selected from the veterans of the Bar, thus importing a dignity, tradition and usefulness to the office. In my personal opinion the cadre of the munsifs should be separated from the cadre of the sub-judges. The munsifs should be selected from the most experienced lawyers usually practising at the munsifs' courts, who have acquired a unique knowledge and mastery in handling and appreciating facts; and our sub-judges and District Judges should be selected from members of the district Bars who have acquired an acknowledged position at the Bar. A certain percentage may be reserved for promotion from munsifships as in all other provincial services. The emoluments that are now fixed cannot be said to be unattractive for senior members of the Bar and in my opinion they are sufficient to attract recruits from the leading ranks with a few exceptions probably.

If the present system of recruitment is to continue the emoluments that are offered are unnecessarily excessive and are a heavy drain on the resources of the country and particularly on the department of Administration of Justice. The present emoluments were fixed not out of any recognition of necessity but practically to justify the Lee loot. We are in the same vicious circle here. You cannot lower the salaries of your Ministers because that will lower their prestige—prestige which has been measured by Mr. Suhrawardy by the measure of the blue and the black gown and the band. Then again you cannot ask the Members of the Executive Council to accept less because the Ministers are not going to accept less. So by mutual support they

thrive—the members of the Judicial Service. The huge bank balances of our judicial officers as compared with the struggling condition of their compeers in the other departments speaks eloquently against the continuance of their present emoluments. Then see, how, to maintain these fat salaries of our judicial officers the poor litigants are hard put to it. The increase in the value of judicial stamps and increase in the cost of litigations in sundry other directions would not have been necessary if the cost of administration had not been increased by artificial means, like increased pay, allowances, etc. All the litigants do not come to court as a matter of luxury. Many are driven to have recourse to the courts of justice to save their hearths and homes, their homesteads and paternal acres from the greed of their rapacious neighbours. Should justice be made too costly for them? Should justice be made prohibitive for them? Gone are the days when our simple village folks used to get all the protection and all the justice from their own village communities and panchayets—a system the like of which has not yet been evolved by all the ingenuity of the modern constitution makers. In place of that we have got a system which has made justice a question as to who can pay most!

One has to go long distances and pay the railway companies to start with. One has to go to the Registration office to get copies of documents by paying 20, 30 or may be even 50 times what he used to pay even in 1925, in the shape of searching fees, etc. Only they have got to pay the lawyers less because there, at the Bar alone the law of demand and supply has come into full play, a law which is not recognised in the selection of officers for the services.

I also think that so far as this branch of the Service is concerned we should not allow communal ideas to influence the appointment of officers; we should not think of getting every community represented on this Service but the selection should be made in such a way that the best brains only, the really qualified people may be there. If judicial officers are appointed on a communal basis then the administration of justice on which the welfare of all the communities so much depends will suffer.

With these words I commend my motion to the acceptance of the House and strongly urge that Government should see its way—whatever the law is, and that has been dealt with by my friend, Mr. Mukunda Behary Mullick—to change the law if necessary so that the actual administration of justice may have relation to, and be on the same level with, our ideas of justice.

Babu HARIBANSA ROY: I beg to move that the demand of Rs. 25,47,500 under the head "24F.—Civil and Sessions Courts—Pay of officers" be reduced by Re. 1 [to raise a discussion on (1) the mode of appointment of officers in the Provincial Judicial Service; and (2)

the qualifications at present recognised as necessary by Government for their promotion to the rank of District Judges].

Sir, the object of my motion is to draw the attention of the Government to the present unsatisfactory mode of recruitment to the Provincial Judicial Service and also to the mode by which the officers are promoted to the rank of District Judges. I agree substantially with the views of Messrs. Mullick and Ray Chowdhury.

The mode in which the selection of munsifs is made at present is this: The High Court maintains a list of candidates who are first class B.L.'s and some of whom hold M.A. degrees also. They are given interview by a Judge and then those candidates who are found suitable after such interview are nominated. This is certainly not a satisfactory far less an ideal way of recruitment to one of the most important branches of public service. The interviews given are and must necessarily be short and if the comparative merits of a large number of candidates, all of whom possess almost equal educational qualifications, have got to be tested it is hardly possible that the best man will be selected in this way. There is every likelihood of cases of really meritorious men being passed over, as they are undoubtedly passed over, causing no unreasonable dissatisfaction amongst them and also of undeserving men being admitted into the service. In fact a large number of undeserving men have managed to enter the service and there is no doubt that they would not have been there but for the present method of appointment. I can give instances of such really incompetent men but I will refrain from mentioning their names. I cannot however help mentioning the case of a munsif who had been recently at Howrah—a munsif of twelve years' standing drawing a decent monthly pay of Rs. 600 who used to have his judgment drafted by the pleader of the party in whose favour the judgment was about to be given.

It is said that in addition to his educational qualifications a three years' practice at the Bar is insisted upon before appointment is made. Members of this House who are pleaders and practise at the mufassal Bar know the extent of practice a civil court pleader enjoys during the first three years of his practice. Surely the knowledge of signing a *vakalatnama* and of conducting *exparte* rent suits is not considered essential for such appointment. If that be so then undoubtedly the three years' practice at the Bar is of some help to the authorities concerned in determining the merits of a candidate for appointment. Besides a candidate neglects his practice at the Bar as long as he entertains any hope for appointment in the Judicial Service.

5 p.m.

The question is what prevents the Government from throwing this branch of the public service open to competition. If deputy magis-

tates and other executive officers can be successfully appointed by means of competitive examination why should not the munsifs be recruited in the same way? That would undoubtedly bring the best brains of Bengal into this responsible service and at the same time disarm all criticisms levelled against the present method of appointment on the score of favouritism and inefficiency. If, however, appointment by competitive examination exclusively is not considered practicable at the present moment a modified form of competition may be introduced in this way, *viz.*, a number of candidates greater than the number actually required in a particular year may be selected out of the list and a competitive examination may be held to test the candidate's practical knowledge of law, his ability to appreciate evidence and to write judgments, etc. The Civil Justice Committee have recommended something like this sort of modified competition and there is no reason why this method should not be tested. As to the posts of Subordinate Judges most of them may be filled up by promotion while a certain percentage may be reserved for pleaders who have at least ten years' good practice in the district courts.

I now come to the other matter, *viz.*, the qualifications at present recognised as necessary for promotion of officers to the rank of District Judges. It is difficult exactly to know what makes a munsif a Subordinate Judge and a Subordinate Judge a District Judge. The Hon'ble Member will undoubtedly say that it is efficiency and efficiency alone which qualifies a munsif for promotion to the rank of a Subordinate Judge and a Subordinate Judge to that of a District Judge. The question then is what constitutes the efficiency in the munsif or the Subordinate Judge who is regarded as a fit officer for promotion to a higher grade. Is it the speedy disposal of suits by any means? It is now a matter of common knowledge that an officer is judged only by the number of cases he disposes of in a given time and the phrase "no disposal no promotion" has passed into a byword. The result of this has been that an officer cares for the quantity and not the quality of the work done by him. He does not hesitate to shut out even relevent evidence if that stands in the way of speedy trial. In short he attempts to dispose of the cases and clear the files by any means. The officer concerned is not to blame—what is wanted of him by his master is speed and not justice—he has got to satisfy his master if he aspires to be a District Judge as all officers do and one fine morning he wakes up to find that he has been rewarded for his speed with an Assistant Sessions Judgeship. If this is the kind of efficiency which is required of a munsif or a Subordinate Judge for his promotion to a higher grade the sooner this pernicious method of promotion is stopped the better for all concerned.

Babu KHETTER MOHAN RAY: I rise to support the motion of my friend Babu Satish Chandra Ray Chowdhury. The present method

of recruitment of judicial officers for the mufassal courts has been in vogue for about a century and does not suit the altered conditions of the country. For the last few years there has been a persistent demand in this Council, in the press and in the platform to change the present method of recruitment. Under the present system, junior members of the Civil Service having no experience in civil matters and innocent of civil law and procedure are often placed at the head of the district judiciary and are required to sit in judgment as appellate courts upon the decisions of sub-judges who are senior to them by 20 years. These District Judges have to learn civil law and procedure at the cost of the litigant. I can speak of one District Judge who at the time of leaving our station on transfer was frank enough to tell us that he did not know what a decree was when he was appointed the District Judge of Tippera and that it was at our cost that he learned something of the civil law. But this officer afterwards proved to be an eminent judicial officer and rose to be a High Court Judge. With the exception of two senior judges, for the last 20 years, the Tippera district court has invariably been presided over by a young officer having no or little experience in civil matters. Hence the Tippera district court has become a byword for the training ground of the District Judges. A District Judge has to hear appeals from the decisions of the sub-judges and munsifs and has to decide probate, insolvency and other cases. It is simply anomalous that an officer having no previous experience in civil matters should be placed at the head of the judiciary in a district. The result is that there is miscarriage of justice for which the system of recruitment is more to blame than the officers. The method of recruiting munsifs should also be altered. Under the present system, any pleader or advocate having a first class B.L. degree is generally appointed. It so happens that the officers who are appointed have little experience in legal matters and previous to their appointment had no actual practice. These raw young men in spite of B.L. degrees have to learn law and to gain experience at the expense of the litigant. District Judges should be recruited from experienced barristers, advocates and pleaders who have enjoyed tolerable practice at the Bar. Similarly the munsifs should be recruited from the same class of lawyers who have enjoyed actual practice of 10 years. The present method of recruiting munsifs is most unsatisfactory. The result is that many persons are appointed munsifs who are ill-fitted to discharge the duties of the post. Only the trained lawyers should be appointed as judicial officers.

Mr. NARENDRA KUMAR BASU: Sir, I am afraid that several of these motions are inconsistent with each other, for example, my friend Mr. Mukunda Behary Mullick has moved motions Nos. 400 and 401; in No. 400 he wants a particular percentage of appointments to be given to a particular community, but in his speech on No. 401 he

says that the best men ought to be appointed. Sir, we have heard about communal claims to these offices for several years now, but I think those who advance these claims do not advance the interests either of their own community or the interests of the country. My point of view is that so far as judicial officers are concerned they ought to be above suspicion, and ought to be the best possible men that could be recruited from the country. It does not matter whether a judicial officer belongs to one community or another, but it does matter that he is the best man available. This Council and the country at large have always held that the judicial and the executive functions ought to be separated. As a corollary to that, I take it that all judicial officers shall be filled up by the highest judicial authority of the land. To ask now that the appointment of munsifs should be taken away from the hands of the High Court and given to the executive Government is, I submit, contrary to the principle of separation of judicial and executive functions. It may be that the system followed in the High Court in recent years has been faulty. If that be so, let us try and change it if possible, but so far as I know from the rules of the High Court, Appellate Side, the power of recommending a suitable person for appointment as munsif is not in the hands of the Judge in charge of the English Department alone, but in the hands of the English Committee presided over by the Chief Justice and five other Hon'ble Judges. If that rule is not followed by the High Court, then I take it that it is certainly open to us to make complaints and to insist upon seeing that that rule is followed. Of course, if appointments are in the hands of one man, however eminent that person might be, he is liable to make mistakes, but if the appointments are made by six Hon'ble Judges of the High Court, then one should think that the appointments would be much better done.

Now, Sir, as regards the appointment of District Judges and Subordinate Judges from the lower ranks, so far as I am aware the appointment of Subordinate Judges is made on certain lines. Unless the High Court thinks that a senior munsif is not competent to be a Subordinate Judge, he is ordinarily promoted to be a Subordinate Judge. But for the appointment of District Judges, I do not know what standard is followed. We are hankering for the time when all appointments to the rank of District and Sessions Judges will be made from the Bar, and from the successful example that Government made in the case of the first recruitment from the Bar to the rank of Sessions Judges, I think the success of that scheme is assured. I will not say anything in praise of Mr. Nag whom I see before me, but the local Government will certainly agree with me in thinking that the experiment of appointing Sessions Judges from practising members of the Bar has been a success, and I think it will be more extensively followed. We are all looking for the time when all such appointments will be

made from the Bar and not from any other unprofessional sources. But I do think that it would be a grievous mistake if the appointment of any class of judicial officers, munsifs, Subordinate Judges or District Judges, is taken away from the hands of the High Court, and made over to the Executive Government.

Dr. NARESH CHANDRA SEN GUPTA: Sir, I regret to have to disagree from many of the observations made in connection with these motions. Many of the speakers have made light of the test of academic qualifications for judicial posts. I think that in the absence of anything better, academic qualifications are the most satisfactory tests for these appointments. Well, my friend here says it is good for the appointment of teachers, but not for the Judges but I think it is equally good for recruitment of teachers. A distinguished scholar satisfies a definite standard of intelligence. Is there any other standard by which you can as definitely ascertain the qualifications of candidates for judicial appointments? I know there are numerous other factors to consider, but are these factors capable of being definitely laid down, like academic qualifications? If that is so to supplant educational tests by others would open the door to a much more unsatisfactory procedure. In the next place as my friend Mr. Narendra Kumar Basu has said, that we cannot for one moment think that the appointment of judicial officers should be taken away from the hands of the High Court and vested with the executive Government. We have been crying ourselves hoarse over the question of the separation of judicial and executive functions for a long time. We have known what it means to have the criminal judiciary appointed by the executive Government. Well, the complaints that have been made in the last few months in regard to this have been numerous and there are glaring instances————

Mr. PRESIDENT: You should not refer to that as that will amount to a vote of censure on the High Court which you are not entitled to do.

5-15 p.m.

Dr. NARESH CHANDRA SEN GUPTA: In any case when a man who administers justice is chosen by a particular person, he must be subservient to that person and it is a sound principle of politics that the Judicial Service should be subservient to none but the highest judicial officer. I think if we make a departure from that principle we should be heading for something worse. I quite admit that it is possible to evolve a much more satisfactory method of appointing judicial officers. I quite admit that untrained judicial officers do involve a heavy cost to the litigant public. They are trained at the expense of the litigants and it also involves costs in the way of appeals. I do acknowledge that. But the remedy for that————

Babu SATISH CHANDRA RAY CHOWDHURY: On a point of personal explanation, Sir, I would make it perfectly clear to Dr. Sen Gupta that I did not suggest that these appointments should not be made by the High Court. My motion referred to the question of qualifications.

Mr. PRESIDENT: I must observe that it has been my bitter experience here that some members who want to say something rise to speak under the shelter of the words, "on a point of personal explanation." I would request members to remember that they cannot do so unless they are really involved and an explanation is really necessary. In any case when they rise to offer an explanation they cannot speak or remain standing unless the member already in possession of the House yields and resumes his seat.

Dr. NARESH CHANDRA SEN GUPTA: Sir, the remedy for the evil of appointing untrained Judges does not lie in laying down any minimum qualifications of practice. It has been followed in the past —persons were required to be in practice for a certain number of years before they were appointed. We know how the practice was put in. A mere nominal practice was enough. We know as a matter of fact that three years' practice does not necessarily mean three years of actual work. It may not even mean three days' work. If we really want persons who are appointed to the Judicial Service to be properly trained, it is necessary that they should have practical training and some method should be devised by which they can be made to pass through a preparatory course. A very simple example of this method of recruitment to the Judicial Service is furnished by the German system where Judges are not appointed from practising lawyers, but students of law after passing through a certain amount of training have to elect whether they are willing to be practising lawyers or Judges. If they elect to be Judges then they are given work to do for two years more which specially fits them for the discharge of judicial duties. They are made to prepare abstracts of evidence, to prepare precis of judgments, to draft judgments and do such sort of work in the High Court or the Amtsgericht. A system like that ought to be devised for giving us trained Judges. Merely to say that he must put in so many years' practice means nothing at all. If yon want to appoint a man you just ask him now for how many years his name has been enrolled as a pleader. If you want to give him a training—do give him a training by all means but let him have real practical training. If any such system is devised I should be the first to support it. I have heard a great deal about deterioration amongst new recruits. I do not know how far that deterioration is due to the persons appointed or to the system which has been introduced in recent years partly as a result of the Civil Justice Committee's recommendations and partly from other causes. In any case it is well known that much more work is put on their

shoulders than they can possibly do if they want to do justice to their cases. I cannot too strongly condemn this hustling system which must be got rid of and an adequate number of Judges should be appointed to deal with the numerous cases. Fault does not lie on the persons recruited but on the system of hustling and hurrying which has been recently introduced.

MUNINDRA DEB RAI MAHASAI: I rise in support of the motion just now moved by my friend Mr. Satish Chandra Ray Chowdhury: My object is to draw attention of the Government to the undesirability of appointment of the members of the Indian Civil Service to the Judicial Branch of the Service. Sir, a good number of the appointments of District Judges go to the Indian Civil Service, the others being recruited from the Provincial Civil Service and direct from the Bar. There is no provision here like that of some other provinces like Bombay and the Central Provinces to give judicial training to the District and Additional Judges before or after their appointment. It is generally the practice to appoint Joint Magistrates as District Judges who are more or less innocent of law and procedure. This is most unfair not only to the litigant public but also to the Judge himself. He had so long to try criminal cases only but as soon as he is appointed as District Judge he has got to try intricate sessions cases as well as to administer the civil law of which he is quite innocent. Sir, I should like to draw attention to the observations made in 1924-25 by the Civil Justice Committee on the subject: "The defects of this system are obvious. No amount of ability or industry can compensate for the absence of training in civil law and procedure or qualify the civilian officer at one step to be the principal court of original civil jurisdiction and the principal court of first appeal in the district. The serious drawbacks of the situation thus created have long agitated the minds of the Indian authorities, and the Government of India in a letter to the Secretary of State, No. 16, dated Simla, the 4th July, 1907, recorded their opinion of the situation in these emphatic terms: 'It would be difficult to exaggerate the political dangers of the present situation or the importance of effecting a material improvement in the capacity, training and status of the Indian Civil Service Judges. It is impossible, at any rate in the advanced provinces, to justify a system under which a gentleman, who has no knowledge in civil law and who has never been inside a civil court in his life, can be, and often is, at one step, promoted to be a Judge of appeal in civil cases and to hear appeals from Subordinate Judges who are trained lawyers with years of legal experience. Incompetent men cannot retain their position in the face of a well-founded criticism which is becoming more and more searching as time goes on. On public grounds it is imperative that drastic steps should be taken to remove this blot on our administration.' " Sir, I admit that the recommendations of the Civil Justice Committee has

been acted upon to a certain extent but not to the extent that we all desire. My point is that as the appointment of District Judges from the Indian Civil Service has proved a failure, further recruitment from that service should be stopped and more appointments should be given to advocates of repute.

The Hon'ble Mr. W. D. R. PRENTICE: I am afraid there is a very large number of subjects that has to be dealt with in this motion and I propose first to deal with the munsifs, then the Subordinate Judges and lastly to deal with the District Judges. Mr. Mukunda Behary Mullick suggests that 20 per cent. of the appointments of munsifs should be set apart for the Namasudra community and other backward communities as enumerated in the Calcutta University Commission's Report. His motion, even if it is in order, will be opposed by me, for I cannot on behalf of Government accept that 20 per cent. of the appointments should be set apart for members of a particular community irrespective of merit. But I can promise and I have always promised that the claims of all communities will be considered and as favourable a consideration as possible will be given to the backward classes and those who have not succeeded in obtaining an opening for which they consider their educational qualifications qualify them. But I may point out that the matter does not lie in our hands at all. All we can do in this matter is to bring it to the notice of the High Court for such action as they may think fit.

A reference has been made to a reply which I gave some days ago to a supplementary question about the rules regarding the appointment of munsifs. It is said that in my reply I denied the existence of rules. I must say here that when I made that reply I was acting under wrong instructions because I find that there were rules framed in March, 1894. It is said that these rules are not observed. I shall have to look up the records of the past three or four years to see whether there is any foundation for that statement. If I find that the rules are not being observed, I will then communicate with the High Court to see whether the rules cannot be observed or if they are unworkable whether they cannot be brought up-to-date.

A suggestion has been made by one speaker that instead of appointment by selection, it should be made by a competitive examination. All I can say is that if the High Court chose to follow that method—something on the lines of the Provincial Executive Service—we should be very pleased indeed. But whether it will bring in a better class of munsifs, I do not know, because there are two views regarding competitive examinations. I am willing, however, to look into the question and see whether there is anything to be said for it. If I think that there is a strong sentiment in its favour, we can bring it to the notice of the High Court in connection with the appointment of munsifs.

As regards the question of whether you get the best munsifs by selection from people who have practised at the Bar, we must remember that mere enrolment in the Bar does not mean legal experience through practice. A pleader may attend the courts day after day for three years, but I am afraid that in the present congested state of the Bar, it does not mean he will have three years' legal training at the Bar. However, I do admit that by attending a court for three years, the future munsif gains a knowledge of procedure and even if he has never received training in the actual conduct of cases, he knows something of the work at least. Sir, as I have said, I am willing to go into the question of the appointments and if I find that these old rules are not being acted upon, I will bring it to the notice of the High Court with a view to their being brought up-to-date.

As regards the Subordinate Judges, suggestions have been made that all judicial officers should be recruited from the Bar. I gather that in that case a briefless pleader who has given up all hopes of getting briefs will be a candidate for a munsifship. A more successful pleader who has got some briefs may be a candidate later on for a Sub-Judgeship in order to assure himself of a steady income. I am not quite certain, however, that the really successful pleader, a successful vakil or a successful advocate will agree to give up his practice for the fixed salary of a District Judge. There is also the administrative difficulty regarding the pension of men who are appointed to Government service at a late stage of their career at the Bar.

5-30 p.m.

There is also the other thing. After all, a man who is a good worker must be keen on getting promotion. He does look forward for promotion and I think it is an incentive for good work and if we recruit Sub-Judges from the Bar we remove a great incentive from the munsifs.

Then, Sir, criticisms have been made about speed in administering justice. I myself think that speed is no substitute for justice, but belated justice is not real justice. Sir, speed in the trial of cases is certainly a very good thing, but if a munsif attempts to sacrifice justice to speed, I am sure he will be pulled up by the District Judge and finally by the High Court. I do not think it is fair to say that the judiciary cares not so much for justice as for speed.

Then we come to the last point, namely, the appointment of the District Judges. Here we are faced with a complicated question. Whether the members of the Council like it or not, there is still a Service called the Indian Civil Service, and under the system now in force a certain number of posts are reserved for that service. A complaint has been made that young Civilians with no experience of civil work are appointed as District Judges. I may tell the House that

these officers are usually first appointed as Additional Judges and it is generally at a more advanced stage, when we have an opportunity of forming an idea about their work, that they are appointed as District Judges. It is said that when the young Civilian starts trying cases, he may learn his work at the expense of the unfortunate persons who are accused in front of him. When I first joined at Bankipore as an Assistant Magistrate, one of the first cases that came up before me was of a man accused of committing burglary. The version he gave seemed to me then to be very reasonable and I acquitted him, or rather the accused got the benefit of my inexperience. The senior and experienced officers with whom I worked told me that that was the usual line of defence adopted in such cases, and prophesied that as I grew in experience I would feel less and less inclined to accept such a story. They were correct, and it was not the accused who suffered from my inexperience. However, I admit that the members of the Civil Service are at a disadvantage in the matter of civil work and the question of giving better training to the young Civilians has long been under consideration. Sir, the House is probably aware that the cadre of the Civil Service has to provide men a certain number of appointments and we can only spare men for training in other work if our cadre is full. Our cadre is still very short, but we have realised the necessity, if possible, of training young Civilians in civil work as was done in the past and I am glad to say that we are making another experiment this year. We have asked the High Court to arrange for two young Civilians to be trained as munsifs and sub-judges during the next year before they act as Additional District Judges. Sir, a gentleman from Tippera pointed out that a District Judge who at first did not know what a decree was, learnt the work so quickly that he soon made a very successful Judge and ultimately became a Judge of the High Court, and I am confident that these young Civilians, even if they may not have the requisite experience at first, will pick up things quickly.

Then we come to the question about recruitment from the Bar. Here again we have to consider the cadre of the Civil Service. In one chapter of the Government of India Act there is a provision for filling up posts reserved for the Indian Civil Service from outside, but the number of such posts is prescribed, I think, by the Secretary of State in Council. The number prescribed for Bengal is four. We have carried out this order and appointed four Judges from the Bar, and we cannot do anything more, until the whole question of the cadre of the Indian Civil Service in Bengal and its allotment to the various services has come under revision.

Then, Sir, the old question of the separation of judicial and executive was raised. I think, Sir, this matter comes up under another motion and I do not propose to deal with it now.

Before I sit down, however, I should like to refer to a pleasing proposal made by Babu Satish Chandra Ray Chowdhury, namely, that the emoluments of the Judicial Service should be reduced. I shall bring this to the notice of the Finance Member, when the time comes for considering these matters, and I am sure that his suggestion will be welcomed by him and fully considered.

The motions of Mr. Mukunda Behary Mullick were then, by leave of the Council, withdrawn.

The motions of Babu Satish Chandra Ray Chowdhury and Babu Haribansa Roy were then put and lost.

Mr. SYAMAPROSAD MOOKERJEE: I beg to move that the demand of Rs. 1,43,100 under the head "24A.—High Court" be reduced by Rs. 100 (inadequacy of the pay of the ministerial officers of the High Court and the policy pursued by Government in this connection).

Sir, it is not my purpose to raise a discussion about any general question relating to the administration of justice in Bengal generally or in the High Court in particular. The question which I desire to raise, Sir, is, as I have said here, about the pay of the ministerial officers of the High Court and the policy which has been pursued by the Government of Bengal in that connection. Sir, the dual nature of the control which is exercised over the High Court is well known to the members of this House. The Government of India is the authority which is responsible for the administration of the High Court, and the Government of Bengal is the authority which is responsible for financing it. Well, it practically means that any scheme for reorganisation or reform, if put forward by the High Court and even approved by the Government of India, may be effectively set aside on the plea of financial difficulties, by the Government of Bengal.

With regard to this question, Sir, I do not propose to go into its history, except to draw the attention of the Hon'ble Member-in-charge to what happened prior to the appointment of what is called the McAlpin Committee. This Committee was appointed by the Government of Bengal in 1920-21 for the purpose of recommending a revision of the scales of pay drawn by the ministerial officers belonging to the different offices of the Government of Bengal. At that time the grade of salary which was applicable to the members of the offices of the High Court was as follows: The salary started at Rs. 40 and went up to Rs. 80. So far as the Government of Bengal was concerned—I am referring to the lower grade—the starting salary was Rs. 40 which went up to Rs. 100. In other words, the initial pay was the same and the two grades also were practically similar. The McAlpin Committee considered the matter in minute detail and they recommended that the grade, so far as the offices of the Government of Bengal were

concerned, should be revised, and the starting salary fixed at Rs. 60 rising up to Rs. 150 *plus* a special grade of Rs. 175 to Rs. 200. Here again I am referring to the lower grade. Now, the McAlpin Committee discussed the reasons for a revision of the grades of pay which were drawn by the members of the office staff of the different branches of Government and a certain standard percentage was fixed by the Committee, which was 60 per cent. over the rates in existence before 1919. But when it came to the question of the application of the revised grade to the High Court offices, the Committee for reasons which have not been explained anywhere in the report recommended that the starting pay should be Rs. 45 and the maximum salary Rs. 125. I would ask the House here to pause for a moment and consider what the exact difference was. The net difference was that the starting salary for the Government of Bengal offices was fixed at Rs. 60 and that of the High Court offices at Rs. 45. Now, I have not been able to find any special reason why such a differentiation was made. The offices were situated in the same town, the cost of living was the same, the duties performed by the members of the respective offices of the High Court and the Government of Bengal were equally arduous, and it really passes one's comprehension why this differentiation was at all made. It should be added no difference in the minimum qualifications was called for by the McAlpin Committee.

5-45 p.m.

The High Court protested against this arrangement but all such protests were in vain. That was in the year 1921. Several members of the Bengal Legislative Council had this matter raised in Council when Sir Abdur Rahim was the Member in charge of the Judicial Department. A resolution was actually passed by this very House in 1921-22 pointing out the necessity of revising the grade of pay of ministerial officers in the High Court and putting the clerks on the same grade as that recommended for the offices under the Government of Bengal. Well, Sir, as far as I have been able to find out from the proceedings of this Council in that connection, Sir Abdur Rahim, before the resolution was put to vote, announced that if the Council came to any decision Government would certainly take the matter into its consideration. The resolution was accepted by the Council; that was about ten years ago and even making allowance for the fact that the Government machinery does take a considerable time to make a move even allowing for this progressively slow progress, ten years, I hope, will be deemed to be a sufficiently long time. Still we do not know what Government has decided or whether it has at all considered the matter or not.

Sir, one of the most curious things which I have noticed in this connection is that about three years ago in the Legislative Assembly—

the High Court is under the control of the Government of India—the Home Member, in answer to a question put to him by a member, expressed his ignorance of any resolution passed by the Bengal Legislative Council, and he declared that no such resolution had ever been forwarded to the Government of India. Sir, that was the fate of the resolution which was passed by this very House ten years ago. Then I come to 1923. That year Retrenchment Committees were appointed in all the different provinces of India. We too had our own Retrenchment Committee appointed by the Government of Bengal, which I think was presided over by Sir Rajendra Nath Mookerjee. Now, Sir, so far as the High Court establishment was concerned, naturally the Bengal Retrenchment Committee had no jurisdiction over it and the Government of India appointed a special committee for the High Court alone. That special committee for the High Court recommended that the upper grade of the establishment should be withdrawn.

Now, Sir, consider for a moment the result of this recommendation. So far as the lower grade was concerned, the pay was not the same as that of the clerks in the Government offices in Bengal. But still the officers belonging to the lower grade could look forward to being promoted to the higher division and now even that higher grade was withdrawn from the High Court establishment. That decision resulted in a saving of about a lakh of rupees. So far as the Bengal Retrenchment Committee was concerned, it is a well known fact that most of their recommendations were never given effect to; for instance the abolition of the post of Director of Public Instruction which was a very useful recommendation, was never even seriously considered. But so far as the High Court establishment was concerned the recommendation made by the committee was given effect to and the assistants had to suffer thereby. I would earnestly ask the Hon'ble Member in charge of the Judicial Department to look at the question from a sympathetic point of view. We outsiders feel that there is absolutely no reason to differentiate between the grades of salary payable to the same classes of officers who serve after all the same Government.

No doubt objections on the ground of financial stringency will be raised. I do not want to press that the scheme should be given effect to immediately, but I hope the Hon'ble Member will consider the question and give us an assurance that at the earliest opportunity he will support the proposal which has the support of the High Court, and bring the pay of the assistants to the same level as obtains in the offices of the Government of Bengal.

Mr. NARENDRA KUMAR BASU: I rise to give my wholehearted support to the motion of my friend Mr. Mookerjee. The people who go to the High Court know how overworked the High Court clerks are; in fact some of the departments in the High Court, say the Criminal Department, is woefully undermanned; the work of the poor

clerks there is very heavy and they have got to work at very high pressure which means an enormous delay in dealing with the current work; if in addition to such high pressure of work the poor clerks are not paid at all adequately, it is no wonder that their work would suffer. I think it is to the interest of Government itself that these clerks should be adequately paid. I have seen a memorial addressed to the Government of India by the ministerial officers of the High Court; it was on its way some two years ago. I do not know whether it has actually been kept back or has not yet been forwarded by the Government of Bengal. That is what I have been told but I have no personal knowledge but it does seem as if the Government of Bengal, because they have got to pay for the piper and cannot call for the tune so far as the High Court is concerned, have taken up an unnatural attitude or rather a step-motherly attitude towards the poor clerks. They treat the ministerial officers of the High Court in a different fashion from that of their own clerks. I hope the grievances of the ministerial officers of the High Court will be properly investigated and the Government of Bengal will try to do justice, bare justice to the ministerial officers of the High Court.

Mr. K. C. NAC: I must first of all take the question of the High Court. So far as the dual control of it is concerned I can only say that this Government look upon it as part of a larger question and it is not possible for us to say anything at this stage in view of the forthcoming changes in the constitution.

The next point that has been urged by my friend Mr. Mookerjee is about the pay of the ministerial officers in the High Court. Now, so far as that is concerned if my friend will look at page 19 of the Salaries Committee, technically known as the McAlpin Committee's Report, he will find that the High Court proposed that the pay of the clerks should be from Rs. 50 to Rs. 125. That was the proposal which they sent up. The McAlpin Committee recommended a scale of pay of Rs. 45 to Rs. 125—a difference of only Rs. 5. So far as the initial pay is concerned. That is what was done, and all I can say at present is that faced as we are with a financial crisis more or less we shall certainly consider this question whenever it is brought before us in a proper form but I cannot proceed beyond what was sanctioned in 1922. The prices of things have gone down since 1922. That is of course well known to my friend but the proposal will certainly receive our consideration when it comes before us. The difference between the pay proposed by the High Court and the pay sanctioned by the McAlpin Committee, taking the minimum figure, is only Rs. 5, the maximum being the same.

As to the nature of the work done by the lower division assistants in the Secretariat and the clerks in the High Court all I can say is that the work done in the High Court is not less responsible than the work

done in the Secretariat; but the main thing I would like to say is that this financial crisis makes it almost impossible for us to take up the question of the revision of the pay of the clerks in the High Court at present. I hope that in view of what I have said Mr. Mookerjee will withdraw his motion.

Mr. SYAMAPROSAD MOOKERJEE: In view of the assurance given by the Judicial Secretary I beg leave to withdraw my motion.

The motion of Mr. Syamaprosad Mookerjee was then, by leave of the Council, withdrawn.

Rai Bahadur Dr. HARIDHAN DUTT: In rising to move the motion that stands in my name I find that the point I wanted to urge before the House has already been dealt with by the previous motion of Mr. Syamaprosad Mookerjee. I thought, Sir, you would call me along with that motion so that these two motions could be discussed together. In that motion Mr. Syamaprosad Mookerjee discussed the question of the pay of the ministerial establishment of the High Court————

Mr. PRESIDENT: In that case it was clearly your duty to have risen in your seat and to speak on the motion of Mr. Mookerjee. Why did you let that opportunity slip?

Rai Bahadur Dr. HARIDHAN DUTT: I do not want to argue with you, Sir, but you will perhaps pardon me when I point out that after Mr. Mookerjee had finished his speech and Mr. N. K. Basu rose to speak, I did not intervene————

Mr. PRESIDENT: Then perhaps you need not move your motion.

The following motion was, therefore, not moved:—

Rai Bahadur Dr. HARIDHAN DUTT: "That the demand of Rs. 1,43,100 under the head '24A.—High Court' be reduced by Rs. 10 (effect of dual control on the ministerial staff of the High Court)."

Khan Sahib Maulvi BAZLUL HUQ: My motion is divided into two parts, but, as the first part has already been dealt with by Mr. Tamizuddin Khan in an earlier motion, I do not move that part of my motion.

I beg to move that the demand of Rs. 1,43,100 under the head "24A.—High Court" be reduced by Re. 1 (to draw attention to the inadequate representation of Muhammadans in the ministerial services in the High Court).

In moving this motion my object is to bring to the notice of the authorities the deplorable condition of the ministerial officers in the High Court. Sir, I may be considered to be a rank communalist for repeatedly bringing motions regarding Mussalman appointment. But, Sir, necessity knows no law. In these days when justice and fair play and good conscience have been banished from the land, one must blow one's own trumpet; otherwise nobody will care to inquire about your wants and requirements. Even the affectionate mother does not care to inquire if her dearest child requires milk unless it cries. Our demand for the Indianisation of the services is so vigorously and publicly pressed but still proper attention is not always given to it. It is, therefore, the most unavoidable duty of every representative of this House to bring home to the House and through it to the different authorities concerned, the grievances of his constituencies. I shall be failing in my duty, Sir, if I do not bring to the notice of the House the grievances of the Mussalmans and put forward their legitimate claims, rights and demands which so long remained uncared for and neglected.

Sir, the High Court is the seat of the highest judiciary in Bengal. People flock to it in numbers when they consider that they have got no justice in the lower courts. But it is a matter of real regret that the downtrodden Muslim community has been deprived of real justice from the hands of the judiciary of the judiciaries in the matter of appointments. I do not know who is the particular officer who is responsible for this; but at any rate the Right Hon'ble the Chief Justice cannot be said to have paid particular attention to this aspect of the question. Things were, perhaps, allowed to his subordinates to be done and administered according to his liking and inclination. Hence most disastrous consequences—consequences of a most lamentable and unremediable character—have happened in the temple of justice. For we find under this head of expenditure that there are more than 350, or to be exact, 361, ministerial officers and of this number there are only 40 Mussalmans.

Sir, in a country where Mussalmans form 54 per cent. of the entire population, can anybody justify and support that there is a grain of justice in the distribution of service? Can it be said that the distribution is fair? The question of inefficiency both educationally and otherwise cannot arise when we find Mussalman youths go abegging from door to door in quest of an employment. Government also in consideration of their advancement in education have reserved 45 per cent. of the appointment for higher gazetted appointments and are disposing of the vacancies accordingly for some years past. But in the ministerial appointments in the Hon'ble High Court the proportion is 1 to 7 or 12 per cent. at the most. I do not believe that any of my non-Moslem friends here in this House will oppose Moslems' legitimate demands. For the leader of the Hindu Mahasabha, a gentleman of outstanding

personality and broadmindedness, has by his learned manifesto regarding unity of the two great communities offered 50 per cent. of the appointments to the Mussalmans. I do not see how the Hon'ble High Court and the Hon'ble Member in charge of Appointments can have any objection to give the Mussalmans, possessed of minimum standard of qualification, that percentage.

Regarding judicial appointments, I endorse what my friend Maulvi Tamizuddin Khan has said. I do not like to add further except that it is the bounden duty of the Government to see that no further wrong be done to this community by their callous indifference and that cases of wilful wrong and injustice should be severely dealt with in future.

With these words, I commend my motion for the acceptance of the House.

The Hon'ble Mr. W. D. R. PRENTICE: This is one of the results of the system of dual control to which objection has been taken. I do not want to criticise the High Court; that is not my function. But the facts are that the Government of Bengal has adopted a policy of giving a certain proportion of ministerial and other appointments to the Mussalman community provided they are qualified, and they have issued a circular to all officers under their control. We have in Bengal the High Court and the civil courts. The High Court appointments are not under our control and the civil court appointments are made by the District Judges. In the High Court the position is this: In 1925, there were 340 posts with 44 Muhammadans. Now out of 350 posts there are only 40 Muhammadans. That means that during the last five or six years the number of Muhammadan posts in the ministerial establishment has decreased. It is, therefore, clear that the Muhammadan community has some ground for raising this question, and I propose to bring this debate and the figures that I have quoted to the notice of the High Court, and ask them whether they can do anything for the community.

Mr. SYAMAPRDSAD MOOKERJEE: May I know how many new appointments have been made in the High Court during the last few years?

The Hon'ble Mr. W. D. R. PRENTICE: I cannot say, but in any case there have been ten more appointments since 1925.

The motion of Khan Sahib Maulvi Basiul Huq was then, by leave of the Council, withdrawn.

Mr. PRESIDENT: I propose to have one discussion on motions Nos. 378-381.

Haji BADI AHMED CHOWDHURY moved that the demand of Rs. 1,43,100 under the head "24.—Administration of Justice" be reduced by Re. 1 (to raise a discussion on the practice of hearing appeals in suits below Rs. 500 as at present done by one Judge instead of two as used to have been done previously in the High Court; increase in the cost of printing charges in such appeals).

He spoke in Bengali, the English translation of which is as follows:—

"I propose a token cut of Re. 1 in the High Court budget, because neither the number of Judges nor their pay has been reduced, though the number of cases this year has decreased to a considerable extent. Formerly appeals used to be heard by two Judges jointly, but that practice has now been discontinued. A single Judge now hears appeals up to the value of Rs. 500. This is most unfair. An appeal heard by two Judges is as good as a trial by an impartial jury and gives satisfaction to the people. Moreover, no appeal can be preferred to the Privy Council against the decision by the High Court of a suit to the value of Rs. 500. Nor is permission for letters patent appeal usually given in such cases for a re-hearing by two Judges. If an appeal, heard by a single High Court Judge, is considered final, there is no reason why the decisions of the District Judge on appeals from the munsif's court should not be so considered, thereby saving the parties from many unnecessary expenses. Formerly Rs. 15 used to be charged for paper-books from the appellants only, but from November last Rs. 7-8 is being charged from the respondents as well. But when a single Judge heard an appeal, the parties had to pay nothing for the paper-books, but that rule has now been discontinued. It is for these reasons that I propose the cut, and hope to get the support of the House."

Mr. MUKUNDA BEHARY MULLICK: Sir, I beg to move that the demand of Rs. 1,43,100 under the head "24A.—High Court" be reduced by Re. 1 (new rules of the Appeallate Side of the High Court empowering a Judge sitting singly to dispose of civil appeals of the value up to Rs. 500 at the final hearing).

In bringing forward a motion like this, my desire is to draw the attention of the Government and of the House representing various interests who supply the State revenue to the new rules of the Appellate Side of the High Court empowering a Judge sitting singly to dispose of civil appeals of the value up to Rs. 500 at the final hearing and to suggest that the same be immediately done away with as causing want of confidence in the administration of justice upon which the stability of the Government depends.

Now, Sir, you know that the two main divisions in the judicial work of the High Court are commonly called the Original Side and the

Appellate Side. On the Appellate Side again there are civil matters and criminal matters coming up for decision. So far as my present subject is concerned, it has nothing to do with the Original Side at all, nor with the criminal matters of the Appellate Side. On the Civil Appellate Side of the High Court, one has to deal with generally three classes of appeals called the first appeals, second appeals and miscellaneous appeals. Besides these three classes of appeals, there is another class of cases which are called revisions. In this short discussion of mine, I do not propose to enter into a detailed discourse as to the nature and scope of these several classes of appeals. I shall confine my remarks to that class of appeals called the second appeals only.

Besides the High Court, the civil courts which exist in this country are the courts of the munsifs, Subordinate Judges and the District Judges. Now, Sir, under section 19 (*1*) of the Bengal and North-West Province Civil Courts Act, XII of 1887, the ordinary pecuniary jurisdiction of the munsif extends up to Rs. 1,000 and under sub-section (*2*) of that section some senior munsifs may be vested with jurisdiction to try suits up to the value of Rs. 2,000. Under section 18 of that Act (XII of 1887) all Subordinate Judges have got jurisdiction to try suits of any value.

You will find, Sir, that under section 15 of the Civil Procedure Code a suit has to be instituted in the court of the lowest grade competent to try it. Section 96 of the Civil Procedure Code says that excepting where otherwise provided there shall be an appeal from every decree passed by any court exercising original jurisdiction to the court authorized to hear appeals from the decisions of such courts. In all cases these appeals lie under section 21 of the Bengal Civil Courts Act to the court of the District Judge where the value of the suit does not exceed Rs. 5,000 so far as decrees made by the Subordinate Judges are concerned; appeals against the decrees of the munsifs shall always lie to the District Judge under sub-section (*2*) of that section. Under section 22 (*1*) of the Bengal Civil Courts Act, the District Judge may transfer appeals against the decrees of the munsifs to the Subordinate Judges for disposal. So, Sir, as regards hearing and decision of these appeals against the decrees of the munsifs, the District Judges and Subordinate Judges have got concurrent jurisdiction. Against a decree made on appeal by the District Judge, Additional District Judge and Subordinate Judge, there is a further appeal called the second appeal to the High Court under the provisions and limitations of section 100, Civil Procedure Code. And to put in short, these second appeals lie to the High Court strictly on questions of law; there is no second appeal on facts.

Now, Sir, although there is no hard and fast provision in the Code of Civil Procedure for any preliminary hearing of these second appeals, the established practice now is that these are placed before a Division Bench consisting of two Judges for hearing under Order 41, Rule 11,

Civil Procedure Code, and after perusing the records and hearing the appellant, these Judges may admit the appeal or may summarily dismiss the same without issuing any notice upon the respondent at all; and in the latter case the respondent is not expected to know, and in point of fact does not know, anything of any second appeal being filed at all. There is neither any rule nor any provision anywhere by which a Judge sitting singly can hear these appeals at the preliminary hearing.

After admission there is a process for causing notices to be served upon the respondent and for the records of the lower courts being called up, with which I do not propose to deal as it is not necessary for my present purpose.

Now, Sir, after these second appeals are ready for final hearing, a division is made between those not exceeding Rs. 500 and those exceeding Rs. 500 in value irrespective of the merits, complications or anything of the kind that may be involved in these appeals. Those of the former, *viz.*, those appeals not exceeding Rs. 500, are heard by a Judge sitting singly at the final hearing, though, as I have said, it required two Judges for their admission. The question is, if this method has done any good at all or if it has hampered with the administration, causing a failure of Justice or want of confidence in the administration of justice. I hope, Sir, it will not be denied that the stability of a Government depends upon, among other things, the confidence the subjects have in the administration as also upon the maintenance of peace. If that confidence is shaken to any degree, the stability of the Government is also shaken to the same extent————

[At 6-15 p.m. the Council was adjourned for prayer and it reassembled at 6-30 p.m.]

Mr. PRESIDENT: I may remind the House that as the time-limit for the discussion of this demand will be reached at 6-27, the guillotine will fall immediately after we reassemble.

The motions of Haji Badi Ahmed Chowdhury and Mr. Mukunda Behary Mullick were then put and lost.

The motion that a sum of Rs. 85,22,000 be granted for expenditure under the head "24.—Administration of Justice" was then put and agreed to.

The time-limit having been reached the following motions under the head "24.—Administration of Justice" were not called:—

Mr. MUKUNDA BEHARY MULLICK: "That the demand of Rs. 1,43,100 under the head '24A.—High Court' be reduced by Re. 1 (rules of the High Court, Appellate Side, regarding the paper-book

charges in second appeals of the value exceeding Rs. 50 from both the appellant and the respondent)."

Mr. MUKUNDA BEHARY MULLICK: "That the demand of Rs. 1,43,100 under the head '24A.—High Court' be reduced by Re. 1 (new rules regarding appeals under clause 15 of the Letters Patent against a judgment in civil cases of a Judge sitting singly on the Appellate Side)."

MUNINDRA DEB RAI MAHASAI: "That the demand of Rs. 12,000 under the head '24B.—Law Officers—Standing Council' be refused."

MUNINDRA DEB RAI MAHASAI: "That the demand of Rs. 42,000 under the head '24B.—Law Officers—Solicitor to Government' be reduced by Rs. 12,000."

Mr. NARENDRA KUMAR BASU: "That the demand of Rs. 1,61,000 under the head '24B.—Law Officers—Pay of Officers' be reduced by Rs. 16,100."

MUNINDRA DEB RAI MAHASAI: "That the demand of Rs. 50,000 under the head '24B.—Law Officers—Legal Remembrancer—Fees to Pleaders' be reduced by Rs. 10,000."

Mr. P. N. GUHA: "That the demand of Rs. 70,000 under the head '24B.—Law Officers—Legal Remembrancer—Fees to pleaders and fees to Pleaders (other than Government servants) be reduced by Rs. 25,000."

MUNINDRA DEB RAI MAHASAI: "That the demand of Rs. 2,10,000 under the head '24B.—Legal Remembrancer' be reduced by Rs. 10,000."

MUNINDRA DEB RAI MAHASAI: "That the demand of Rs. 2,10,000 under the head '24B.—Law Officers—Legal Remembrancer' be reduced by Rs. 100 (to raise a discussion about the payment of fees to pleaders)."

MUNINDRA DEB RAI MAHASAI: "That the demand of Rs. 1,60,000 under the head '24B.—Law Officers—Fees to pleaders in criminal cases' be reduced by Rs. 10,000."

MUNINDRA DEB RAI MAHASAI: "That the demand of of Rs. 8,000 under the head '24.—Law Officers—Supplies and Services—Fees to pleaders for defence of paupers in murder cases' be reduced by Re. 1 (inadequacy of provision)."

MUNINDRA DEB RAI MAHASAI: "That the demand of Rs. 5,23,000 under the head '24B.—Law Officers' be reduced by Rs. 5 (question of policy)."

Mr. NARENDRA KUMAR BASU: "That the demand of Rs. 39,117 under the head '24C.—Administrator-General and Official Trustee—Pay of Officers' be reduced by Rs. 3,920."

Mr. NARENDRA KUMAR BASU: "That the demand of Rs. 94,896 under the head '24E.—Presidency Magistrates' Courts—Pay of Officers' be reduced by Rs. 9,490."

Mr. B. C. CHATTERJEE: "That the demand of Rs. 1,82,000 under the head '24E.—Presidency Magistrates' Courts' be reduced by Rs. 100 (question of appointment of a member of the Bar as Chief Presidency Magistrate)."

Maulvi SYED JALALUDDIN HASHEMY: "That the demand of Rs. 1,96,000 under the head '24E.—Presidency Magistrate's Court' be reduced by Rs. 100 [to get information regarding a recent petition to check the evil of gambling (*fatka*) which has been referred to the Commissioner of Police]."

MUNINDRA DEB RAI MAHASAI: "That the demand of Rs. 1,96,000 under the head '24E.—Presidency Magistrates' Courts' be reduced by Re. 1 (information about the Children's Court and necessity of putting into operation more clauses of the Bengal Children's Act)."

Khan Sahib Maulvi BAZLUL HUQ: "That the demand of Rs. 1,96,000 under the head '24E.—Presidency Magistrates' Courts' be reduced by Re. 1 (to draw attention to the paucity of Muhammadan employees under the Chief Presidency Magistrate)."

MUNINDRA DEB RAI MAHASAI: "That the demand of Rs. 14,70,000 under the head '24F.—Civil and Sessions Courts—Pay of munsifs' be reduced by Rs. 10 (judicial procedure in rent suits as prescribed in the amended Bengal Tenancy Act)."

Babu KHETTER MOHAN RAY: "That the demand of Rs. 14,70,000 under the head '24F.—Civil and Sessions Courts—Pay of Officers—Munsifs' be reduced by Re. 1 (to draw attention to the fact that the system of the Central Courts established at Comilla and other places is a failure and has caused inconvenience and hardships to the litigant public)."

Maulvi SYED MAJID BAKSH: "That the demand of Rs. 12,90,500 under the head '24F.—Civil and Sessions Courts—Process-Serving Establishment' be reduced by Rs. 100 (to raise a discussion on the condition of service of process-servers and the failure of Government to appoint an Inquiry Committee)."

Mr. P. N. GUHA and Dr. AMULYA RATAN GHOSE: "That the demand of Rs. 12,90,500 under the head '24F.—Civil and Sessions Courts—Process-Serving Establishment' be reduced by Rs. 100 (pay and prospects of process-servers)."

Babu HARIBANSA ROY: "That the demand of Rs. 34,42,638 under the head '24F.—Civil and Sessions Courts—Pay of Establishment' be reduced by Rs. 100 (to raise a discussion on the widespread prevalence of corruption amongst the ministerial officers of civil courts)."

Babu KISHORI MOHAN CHAUDHURI: "That the demand of Rs. 71,05,000 under the head '24F.—Civil and Sessions Courts' be reduced by Rs. 1,00,000."

MUNINDRA DEB RAI MAHASAI: "That the demand of Rs. 71,05,000 under the head '24F.—Civil and Sessions Courts' be reduced by Rs. 100 (judicial administration and the inadequacy of the pay of the ministerial officers and systematic bribery and corruption prevailing in these courts)."

Maulvi MUHAMMAD FAZLULLAH: "That the demand of Rs. 71,05,000 under the head '24F.—Civil and Sessions Courts' be reduced by Rs. 100 (to criticise the policy of Government for not providing waiting rooms for the litigant public in mufassal courts)."

Khan Sahib Maulvi BAZLUL HUQ: "That the demand of Rs. 71,05,000 under the head '24F.—Civil and Sessions Court' be reduced by Re. 1 (to draw attention to the inadequate representation of the Mussalmans in judicial services and ministerial services in the mufassal courts)."

Maulvi MUHAMMAD HOSSAIN: "That the demand of Rs. 71,05,000 under the head '24F.—Civil and Sessions Courts' be reduced by Re. 1 (Muhammadan holidays and facility for prayers)."

Khan Sahib Maulvi BAZLUL HUQ: "That the demand of Rs. 71,05,000 under the head '24F.—Civil and Sessions Courts' be reduced by Re. 1 (to draw attention to the demand of the Commissioners in executing Civil Court Commissions and the desirability of fixing a standard schedule rate to be prepared in consultation with experts of the

Survey Department so as to enable the presiding officers to ascertain the gross amounts to be paid to them)."

Khan Sahib Maulvi BAZLUL HUQ: "That the demand of Rs. 71,05,000 under the head '24F.—Civil and Sessions Courts' be reduced by Re. 1 (to discuss about the proper service of civil processes)."

Khan Sahib Maulvi BAZLUL HUQ: "That the demand of Rs. 71,05,000 under the head '24F.—Civil and Sessions Courts' be reduced by Re. 1 (to discuss about the growing increased tendency of some of the munsifs in summarily rejecting petitions for adjournments and deciding suits and cases in the absence of the party)."

Mr. MUKUNDA BEHARY MULLICK: "That the demand of Rs. 71,05,000 under the head '24F.—Civil and Sessions Courts' be reduced by Re. 1 (working of the suggestions of the Civil Justice Committee)."

Maulvi NUR RAHMAN KHAN EUSUFJI: "That the demand of Rs. 71,05,000 under the head '24F.—Civil and Sessions Courts' be reduced by Re. 1 (to draw attention to the necessity for extension of the newly-built Civil Court building at Tangail)."

Rai Bahadur SATISH CHANDRA MUKHARJI: "That the demand of Rs. 71,05,000 under the head '24F.—Civil and Sessions Courts' be reduced by Re. 1 (retrenchment by abolition and amalgamation)."

Mr. P. N. GUHA: "That the demand of Rs. 2,72,000 under the head '24G.—Courts of Small Causes—Presidency Courts' be reduced by Rs. 100 (policy of filling up the post of the Chief Judge of the Calcutta Court of Small Causes)."

Mr. MUKUNDA BEHARY MULLICK: "That the demand of Rs. 2,72,000 under the head '24G.—Courts of Small Causes—Presidency Courts' be reduced by Re. 1 (appointment of Judges from amongst the advocates practising on the Appellate Side of the High Court)."

MUNINDRA DEB RAI MAHASAI: "That the demand of Rs. 3,49,000 under the head '24G.—Courts of Small Causes' be reduced by Rs. 101 (administration of justice in Small Cause Courts and policy about the appointment of Judges)."

Mr. P. N. GUHA: "That the demand of Rs. 11,000 under the head '24I.—Muktearship examination charges' be reduced by Rs. 100 (policy in continuing Muktearship examination)."

MUNINDRA DEB RAI MAHASAI: "That the demand of Rs. 85,22,000 under the head '24.—Administration of Justice' be reduced by Rs. 105 (advisability of recommending an amendment of section 124A, Indian Penal Code to criticise the Governments' policy of prosecutions in political cases on the charge of delivering seditous speeches and the need of discontinuing such policy)."

Mr. B. C. CHATTERJEE: "That the demand of Rs. 85,22,000 under the head '24.—Administration of Justice' be reduced by Rs. 101 (to raise a discussion on the present system of administration of justice)."

Maulvi SYED JALALUDDIN HASHEMY: "That the demand of Rs. 85,22,000 under the head '24.—Administration of Justice' be reduced by Rs. 100 (administration of justice in some political cases)."

Dr. NARESH CHANDRA SEN GUPTA: "That the demand of Rs. 85,22,000 under the head '24.—Administration of Justice' be reduced by Re. 1 [(*1*) urgency of separation of Judicial and Executive functions, (*2*) inadequacy of judicial officers, and (*3*) absence of facilities for judicial officers in the matter of law libraries]."

Haji BADI AHMED CHOWDHURY: "That the demand of Rs. 85,22,000 under the head '24.—Administration of Justice' be reduced by Re. 1 (increase in the price of court-fee and printing charges)."

Mr. SARAT CHANDRA BAL: "That the demand of Rs. 85,22,000 under the head '24.—Administration of Justice' be reduced by Re. 1 (policy with reference to the backward classes)."

Rai Bahadur SATISH CHANDRA MUKHARJI: "That the demand of Rs. 85,22,000 under the head '24.—Administration of Justice' be reduced by Re. 1 (for providing a record room at Hooghly and for providing electric lights and fans in the Civil and Criminal Courts at Hooghly)."

25.—Jails and Convict Settlements.

The Hon'ble Sir PROVASH CHUNDER MITTER: Sir, on the recommendation of His Excellency the Governor, I beg to move that a sum of Rs. 41,90,000 be granted for expenditure under the head "25.—Jails and Convict Settlements."

Many members of this House, I believe, are aware that this budget estimate was prepared in January last when the civil disobedience movement had not been called off. The grant that I am now moving was on the basis of that estimate. Since then a truce has happily been concluded and the civil disobedience movement has been called off. It is, therefore, possible to reduce the demand for jails by a considerable amount. Within the short time at our disposal it was difficult to prepare accurate estimates as to the amount by which the demand for Rs. 41,90,000 could be reduced. There are certain factors which make the compilation of accurate estimates at short notice somewhat difficult. On account of the economic depression there has been an increase of ordinary crime. From figures at our disposal it is necessary to allow a provision for at least 500 additional ordinary prisoners. It may be necessary to provide for more. Members of this House are also aware that in the year 1929-30 the Government of India passed certain orders changing the classification rules of the prisoners. Soon after these orders came into force the civil disobedience movement started. It was, therefore, not possible to form an accurate estimate of the financial effects of the new system of classification in a normal year, but it is extremely likely that there must be some increase of expenditure with regard to the new classification of ordinary prisoners. We want a little more time to examine more accurately what saving is possible if happily the truce ends in peace and there be a complete cessation of the civil disobedience movement. From very rough estimates that it has been possible to make within the short time at our disposal, I think we can surrender Rs. 5 lakhs out of the grant for Rs. 41,90,000 that I originally tabled. If the House approves I can, with the leave of the Chair, amend my motion and move for a reduced grant. The actual amount of the surrender, however, is immaterial. If we can save more than Rs. 5 lakhs we shall spend less and whatever we shall save will go in reduction of our huge deficit.

It will appear from page 57 of the budget (the red book) that including the supplementary grant of Rs. 10,43,000, the net grant for jails during the year 1930-31 stood at Rs. 45,78,000. With the proposed reduction of Rs. 5 lakhs the voted portion of the grant will stand at Rs. 36,90,000. This will mean a total reduction of Rs. 7,56,000 from the current year's budget, including the non-voted portion.

Before I conclude I would like to make one point clear, namely, if unhappily the truce does not end in peace and the civil disobedience

movement be again started to the unhappiness of this province I shall have to come up before you for an adequate grant.

MUNINDRA DEB RAI MAHASAI: I beg to move that the demand of Rs. 35,000 under the head "25A.—Jails—Presidency Jail—Temporary Watch and Ward" be refused.

I also beg to move that the demand of Rs. 35,000 under the head "25A.—Jails—Presidency Jail—Temporary Watch and Ward" be reduced by Rs. 32,000.

Sir, on a reference to the budget estimates of 1930-31, I find that the actual expenditure under this head was Rs. 1,480 in 1928-29. In 1929-30 the budget estimate amounted to Rs. 500, revised estimate was Rs. 2,200 and the actuals were Rs. 2,208. In 1930-31 the budget estimate was Rs. 7,100 and it rose to Rs. 18,000 in the revised estimate and the budget etsimate for 1931-32 is Rs. 35,000 *i.e.*, nearly double that of the revised estimate for 1930-31 and five times that of the budget estimate of 1930-31. From Rs. 1,480 the actuals of 1928-29 to Rs. 35,000 in 1931-32 was indeed a big jump—nearly 24 times more in the course of three years. In the Bengal Budget financial statement 1931-32 (page 57) it is stated that "in view of the possibility that the present abnormal political situation may continue next year and that the existing permanent and special jails will be full the estimate for 1931-32 has been fixed."

After the presentation of the budget—an event of great national importance—has taken place, under the Gandhi-Irwin agreement the jail population has been considerably reduced by the release of prisoners convicted in connection with the civil disobedience movement. We can take it for granted that the population in the Presidency Jail has reverted to its normal condition. I do not know whether there is any secret policy of the Government of increasing the jail population within the next twelve months. If not, I think there would be no objection to the acceptance of my proposal of doing away altogether with the temporary watch and ward which were meant to meet the abnormal conditions brought about by the civil disobedience movement.

If that be not considered feasible, I commend my second motion which provides for Rs. 3,000 for the temporary watch and ward. This would be more than double of the actuals of 1928-29 which was Rs. 1,480.

The Hon'ble Sir PROVASH CHANDRA MITTER: Sir, I should have thought that I anticipated all the arguments of Munindra Deb Rai Mahasai in my opening remarks and I did not expect that the hon'ble member would move his motions. Sir, as they have been moved I may remind the Council that if they would agree to accept a lump sum cut of Rs. 5 lakhs, it would not be possible to allot the cut

in the manner indicated in the various motions because that would require our examination. I cannot accept a cut like this but I have already accepted a cut of Rs. 5,00,000 and portion of it would undoubtedly come under this head. I think this would satisfy Rai Mahasai.

Mr. PRESIDENT: What is your proposal? Do you want to introduce a cut at this stage?

The Hon'ble Sir PROVASH CHUNDER MITTER: Yes. If there is nothing to prevent me from doing this. If the House would agree, perhaps we can do at this stage but if the House wants to discuss all the items I had better wait till the end.

Mr. PRESIDENT: I think it should be moved by some other Member of Government.

Mr. R. H. HUTCHINGS: Should I be in order in moving an amendment to the original motion moved by the Hon'ble Member-in-charge that the demand be passed less Rs. 5,00,000.

The Hon'ble Sir PROVASH CHUNDER MITTER: If there are other cuts however, then I cannot agree to this reduction of Rs. 5,00,000, but if the House would support me, then I agree to this cut.

Dr. NARESH CHANDRA SEN GUPTA: On a point of order, Sir. Am I to understand that the Hon'ble Member is not prepared to make this cut unless all the other motions for cuts are withdrawn.

The Hon'ble Sir PROVASH CHANDRA MITTER: No.

Mr. PRESIDENT: I think I would have it this way. Let Sir Provash Mitter's motion stand as it is at present and let us proceed to the discussion of motions for the reduction of definite items within the grant in question, as a motion for the reduction of a grant as a whole cannot be moved till those have been dealt with. Mr. Hutchings' motion may lie in abeyance.

MUNINDRA DEB RAI MAHASAI: I beg leave of the House to withdraw my motions.

The motions were then, by leave of the Council, withdrawn.

Mr. R. MAITI: I beg to move that the demand of Rs. 10,54,000 under the head "25A.—Jails—Central Jails" be reduced by Rs. 100 (grievances of the prisoners particularly political prisoners, regarding diet, accommodation, insufficient oil for rubbing their body, no provision for mosquito curtains in these jails in the malarious districts and treatment by the authorities).

Sir, my motion is a very plain one and it speaks for itself. The grievances as enumerated in my motion are of frequent occurrence in the jail and every jail visitor is well acquainted with them. These are not all. There are still plenty more.

Sir, I need hardly add that these grievances are real and legitimate but the authorities always seem to turn deaf ears to them, though repeated demands have been made by the members of this House for immediate removal of the grievances of the prisoners. Reference to non-official jail visitors' inspection report will substantiate the charge that I am making to-day against the department by bringing in this motion before the House.

Sir, apathetic and indifferent attitude of the Government in these matters has on many occasions led to a situation which the authorities did not hesitate for a moment to term as serious disturbances in the jail and for which the authorities had to take immediate steps by way of punishment. As an instance of it, I will here particularly refer to an incident that happened in the Midnapore Central Jail in the month of August last. Political prisoners who were located there at that time had placed some of their grievances before the jail authorities, but when they found that the authorities were taking no action for removing their grievances, they made up their mind to register their protest by not going inside their ward, while remaining outside within an enclosed space attached to the ward. Their only fault was to record their feeling of disapproval against the indifferent attitude of the Government by way of a protest in a perfectly non-voilent manner. But it was soon met with a violent action on the part of the authorities at dead hour of night. Prisoners were mercilessly beaten with canes and batons by the District Magistrate, Superintendent of Police and some of the jail staff. Three or four days after the incident when I visited the jail, I found plenty of red marks on the back, as well as on the other parts of the body of many prisoners with some bleeding wounds. Again, as a sort of further punishment they were not allowed to be treated by the doctors till then. This is a sort of treatment the prisoners are getting very often inside the jails at the hands of the authorities. Nothing could be more inhuman than this.

Sir, as regards the other grievances of the prisoners I need not say much as many other speakers have dwelt on them at a great length on many occasions in this House. But I will lay special emphasis on

the need of mosquito curtains for the prisoners, especially in malarious districts. It is well known that mosquitoes are found in great abundance in malarious districts. In order to avoid mosquito bites the prisoners sometimes have to make arrangements among themselves for warding off the pest by appointing a batch of them who will have to keep watch over the rest throughout the whole night. This is how they have to spend their nights inside the jail.

Sir, as to their diet, it is always considered by the prisoners to be unfit for human consumption. At times too many prisoners are accommodated in a place, the maximum capacity of which is for much less. Only a few drops of mustard oil are given to them to rub their body with and that is again only once a week. Consequently the prisoners have to suffer at times from itches and various other skin diseases. I would therefore urge that the authorities should remove these grievances at once.

With these few words, Sir, I beg to commend my motion to the acceptance of this House.

6-45 p.m.

Kazi EMDADUL HOQUE: Sir, I beg to move that the demand of Rs. 3,95,000 under the head "25A.—Jails—Subsidiary jails" be reduced by Re. 1 (want of proper accommodation and fooding and clothing of the convicts and prisoners).

Sir, the object behind this motion is to ventilate the grievances of the inmates of the subsidiary jails through this Council and to bring them to the notice of the proper authorities. Sir, I know that the ventilation of grievances through this Council will not bring them any relief, but I have made it a point to bring these to the notice of the authorities year after year, so that I shall tire them and make them take steps to remedy these inconveniences. Sir, need I say that the inmates of the subsidiary jails really suffer from great inconveniences? If instances are needed, I would cite the case of the Kurigram sub-jail. This jail is a very small one having accommodation for only 15 prisoners, but in normal times we find that there are as many as 50 prisoners housed there, and in abnormal times 70 to 100 prisoners are accommodated there; that is to say where there is accommodation for only 15 prisoners, even in normal times some 50 prisoners are housed there. So you can easily understand what inconvenience is felt by the inmates of the jail on that account. Now, if the jail authorities are not in a position to extend the subsidiary jail at Kurigram, then it is a matter for Government to consider whether they should not issue instructions to the judiciary to convict a less number of people.

Then, as regards the feeding and clothing of the prisoners, if you look to the food and clothes supplied to the convicts you will find that these are not what they ought to be. So my suggestion to the jail authorities is that they should lose no time to remove the grievances of the prisoners at Kurigram.

The following motions were called but not moved:—

Haji BADI AHMED CHOWDHURY: "That the demand of Rs. 36,06,500 under the head '25A.—Jails' be reduced by Re. 1 (diet of the third class prisoners)."

Maulvi MUHAMMAD HOSSAIN: "That the demand of Rs. 41,90,000 under the head '25.—Jails and Convict Settlements' be reduced by Re. 1 (beddings and clothings supplied to the convicts)."

MUNINDRA DEB RAI MAHASAI: "I beg to move that the demand of Rs. 41,90,000 under the head "25.—Jails and Convict Settlements" be reduced by Rs. 100 (urgency of supplying mosquito curtains to all classes of prisoners specially in the malaria districts and supplying mustard oil to those who are accustomed to use it before their bath and also to draw attention to the limitations under which non-official visitors to jails have to work).

Sir, the prisoners are after all human beings and need be carefully looked after. The mosquito pest is not only troublesome and a cause of constant annoyance and sleeplessness but also affects the health of the prisoners. If one has got to believe in the mosquito theory that mosquitoes help to spread malaria, I think mosquito curtains should be supplied to all classes of prisoners specially in the malaria districts. The Government has got certain responsibilities in looking after the health and comforts of the prisoners as far as practicable within the prison walls. The malaria poison is none the less dangerous at least to those who have lost the power of resistance to its attack. The Hon'ble Member may take a plea of the stringency of funds. This should not stand in the way of supplying mosquito curtains to the prisoners. Health is the first thing needful and the State has got absolutely no right to undermine the health of the prisoners. It should be its chief concern in the discharge of its duties and responsibilities.

As we all know, Sir, the popular adage "*Teley Jaley Bangali*"—people, however poor, are accustomed to rub mustard oil over their bodies before bath. According to our Ayurvedic science, the rubbing of mustard oil all over the body is a preventive to skin diseases, apart from its other medicinal effects on the body. The general complaint of the prisoners is the want of a little quantity of mustard oil before bath. I have noted this grievance in the complaint register maintained in the Serampore Subsidiary Jail but no steps appear to have

been taken thereon. Sir, I am a non-official visitor to the Hooghly District Jail and to the Serampore Subsidiary Jail. I should like to draw attention of the Hon'ble Member to the limitations under which non-official visitors to jails have to work. In 1930, only one day was allotted to me in the roster of the Hooghly District Jail and that was probably the 29th of December last. As I was invited to deliver a speech at the first All-Asia Educational Conference held at Benares during the Chistmas holidays, I could not avail myself of the opportunity of visiting the jail on that day. I therefore wrote to the District Magistrate to allot a day for my visit before the budget discussions in the Council. Unfortunately he did not care to favour me with a reply even. Although I wrote to him not to allot any day in Christmas week as my time during those days are generally occupied with heavy public engagements outside Bengal, but to my surprise I find a day in Christmas week has again been fixed in the roster for 1931. In the whole of the year 1931, I shall get the opportunity of visiting the district jail only thrice. So far as the Serampore Subsidiary Jail is concerned visits are allowed oftener in the roster. This is a small jail and very few convicts are detained here. Most of the inmates are under-trials. Sir, I should like to refer to another matter. The roster for January, February and March, 1931, of Serampore Sub-jail was received by me on the 17th March last. I hold the roster and the envelope here. Is it not a mockery to issue notices for attendance of January-February at the end of March? I pause for a reply.

Mr. NARENDRA KUMAR BASU: Sir, I beg to support the motion of Kazi Emdadul Hoque so far as subsidiary jails are concerned. As a non-official visitor of the Ranaghat Jail in my district I have my own experience which is that the accommodation in these jails is very inadequate. In fact, when I visited the Ranaghat Jail few months back I found that there were only two rooms—one for male convicts and under-trial prisoners and the other for females. On the day I made the visit one of the male convicts was suffering from a very loathsome disease and the difficulty was that he had to be put in the same room with other under-trial and convict prisoners. The jail doctor himself admitted that this was an undesirable state of things, but he said he was helpless. I made a remark in the Visitors' Book to that effect, but I do not know what has happened. The accommodation is really inadequate and one can very well imagine the evil consequences of putting under-trial and convict prisoners together and with them persons suffering from loathsome diseases in the same room.

Mr. R. H. HUTCHINGS: Sir, with regard to the remarks which have just been made about the accommodation of under-trial prisoners

Mr. NARENDRA KUMAR BASU: I complained of one room being allotted for both under-trial and convicted prisoners.

Mr. R. H. HUTCHINGS: Quite so. Government are well aware of the fact that our accommodation for under-trial prisoners is, under the present circumstances of the province, quite inadequate. I took up this question when I was Superintendent of the Alipore Jail and since then this matter has been constantly before the Inspector-General of Prisons and Government. All I can say is that the remedy lies in entering upon a very extensive building programme. There is no other way out of it. The accommodation at present available is not sufficient and it can only be remedied by building additional wards and providing additional accommodation in the sub-jails. As pointed out by Mr. Narendra Kumar Basu, it is most desirable that under-trial prisoners should be segregated from criminals. It is useless for us to insist on segregation of the different classes of prisoners when adequate accommodation is not available. If under-trial prisoners were all indiscriminately mixed up with convicts, then persons who might be innocent and whose guilt had not been established, might be contaminated by persons with 30 previous convictions. We have a very extensive programme of new building schemes, and as far as possible we are prepared to go forward with the schemes, but we have been met all along by the reply that funds are not available for the purpose. In spite of this we got estimates prepared for some of the schemes, but funds have not been allotted for them this year. The estimates amounted to a very considerable sum of money.

Mr. NARENDRA KUMAR BASU: What is the date of the earliest scheme?

Mr. R. H. HUTCHINGS: I am afraid I cannot say. It is a long list.

Sir, I shall take the opportunity now to reply to Munindra Deb Rai Mahasai, who complained about what he called the limitations of official visitors. The member complained that because his name was not on the roster, he was prevented from visiting the jail. For the information of the member I should like to quote the rule on the subject. Rule 64 of the Jail Code lays down that a roster should be prepared for weekly visits to the jail so as to give each resident official visitor and each non-official visitor his due turn. It goes on to say: "Besides making visits in accordance with the roster, a visitor of the jail is authorised to visit it at any other time." That is laid down in black and white in the Jail Code.

MUNINDRA DEB RAI MAHASAI: The Raja Bahadur of Nashipur had the same difficulty with regard to the Berhampore Jail.

Mr. R. H. HUTCHINGS: I am quoting from the Rules of Management and Superintendence of Jails in Bengal. By an insertion of the 14th August, 1925, these words were added: "Besides making visits in accordance with the roster a visitor of the jail is authorised to visit it at any time." That disposes of my friend's complaint. If unfortunately the days allotted to him are inconvenient, I would suggest that he might visit the jail on days which might be convenient to him. He might also inform the District Magistrate of the days on which it would be convenient for him to visit the Jail

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Adjournment.

The Council was then adjourned till 3 p.m., on Tuesday, the 24th March, 1931, at the Council House, Calcutta.

Proceedings of the Bengal Legislative Council assembled under the provisions of the Government of India Act.

THE COUNCIL met in the Council Chamber in the Council House, Calcutta, on Tuesday, the 24th March, 1931, at 3 p.m.

Present:

Mr. President (the Hon'ble Raja Sir MANMATHA NATH RAY CHAUDHURI, KT., of Santosh), in the Chair, the four Hon'ble Members of the Executive Council, the three Hon'ble Ministers and 111 nominated and elected members.

Starred Questions

(to which oral answers were given).

Shooting incident at Nilphamari.

*155. **Maulvi HASSAN ALI:** (*a*) Will the Hon'ble Member in charge of the Police Department be pleased to state whether it is a fact that there was a shooting incident at Nilphamari in the district of Rangpur on the occasion of the Sharaswati puja festival in January, 1931?

(*b*) If the answer to clause (*a*) is in the affirmative, will the Hon'ble Member be pleased to state what were the circumstances leading to the orders of shooting?

(*c*) Is it a fact that the firing took place in the presence of the local Subdivisional Officer and under his orders?

(*d*) How many persons were killed and how many of them were Mussalmans and how many Hindus?

(*e*) Is it a fact that some Mussalmans are missing in consequence of the firing?

(*f*) What were the circumstances, if any, justifying the Subdivisional Officer to order firing upon the mob?

(*g*) Have the Government held any inquiry into the matter? If so, what is the result?

MEMBER in charge of POLICE DEPARTMENT (the Hon'ble Mr. W. D. R. Prentice): (*a*) Yes.

(*b*) The "Utshahi Sanga"—a Hindu physical club of Nilphamari—was taking a duly authorised procession through Nilphamari town accompanied by 13 police officers and men and was about to pass a large mosque in the main street of the town outside the recognised hours of prayer which were embodied in an order issued in 1928 after consultation with the local Muhammadan leaders. As soon as the processionists and the escorting police arrived at the mosque bricks were showered on them by Muhammadans from the top of the mosque and both sides of the road. *Lathis* were thrown and a determined attack was launched on the procession by a crowd of about 2,000 Muhammadans. A number of armed police were lining the route near the mosque, and seventeen of these men and of the escorting police were hit by missiles. The local officers and police did all in their power to stop the riot but to no purpose. Finally, when the police were in danger of being overwhelmed, the armed force withdrew and formed up at a little distance from the mob, where they continued to be pelted with bricks and other missiles. The Subdivisional Officer who had gone ahead of the procession and previously warned the Muhammadans at the mosque then ordered fire to be opened.

(*c*) Yes.

(*d*) One Muhammadan was killed.

(*e*) Government have no such information.

(*f*) *Vide* answer to (*b*).

(*g*) The District Magistrate held an inquiry under rule 778 of Volume I of the Police Regulations, Bengal, and held that the firing was justified. This finding was supported by the Commissioner of the Division and has been accepted by Government.

Maulvi SYED MAJID BAKSH: Will the Hon'ble Member be pleased to state from whom was the report received regarding the death of this Muhammadan?

The Hon'ble Mr. W. D. R. PRENTICE: Both from the Commissioner and the District Magistrate.

Maulvi SYED MAJID BAKSH: Will the Hon'ble Member be pleased to state whether the report refers only to this Muhammadan?

The Hon'ble Mr. W. D. R. PRENTICE: If you will look at (*g*), you will see that the District Magistrate held an inquiry.

Bankura Medical School.

*156. **Babu SATYA KINKAR SAHANA:** Will the the Hon'ble Minister in charge of the Local Self-Government Department be pleased to state—

(*i*) whether he is aware of the financial stringency of the Bankura Medical School which has been doing laudable work for the preparation of medical practitioners of the rural areas;

(*ii*) whether any grant in aid for the school has been sanctioned for 1931-32;

(*iii*) If the answer to (*ii*) be in the affirmative, what is the amount that has been sanctioned?

MINISTER in charge of LOCAL SELF-GOVERNMENT DEPARTMENT (the Hon'ble Mr. Bijoy Prasad Singh Roy): (*i*) Government have no doubt that, were further financial resources available, the valuable work already being done by this School would have a wider range.

(*ii*) No.

(*iii*) Does not arise.

Babu SATISH CHANDRA RAY CHOWDHURY: Will the Hon'ble Minister be pleased to state whether any grant has been sanctioned for the previous years?

The Hon'ble Mr. BIJOY PRASAD SINGH ROY: No.

Narail Local Board.

*157. **Mr. K. C. RAY CHAUDHURI:** Will the Hon'ble Minister in charge of the Local Self-Government Department be pleased to lay on the table a statement showing for the last three years—

(*i*) the names of the Chairmen, Vice-Chairmen and members of the Narail local board;

(*ii*) the amount drawn by each of them as travelling allowances; and

(*iii*) the place from which the charge was made?

The Hon'ble Mr. BIJOY PRASAD SINGH ROY: (*i*) to (*iii*) A statement giving these particulars is laid on the table.

Statement referred to in the answer to starred question No. 157.

1927-28.

1. Maulvi Nur Muhammad, Chairman, Local Board, Narail—Rs. 106-12.

2. Maulvi Waliar Rahman, Vice-Chairman, Local Board, Narail—Rs. 39.

3. Maulvi Abdul Gani, Member (Goalbathan)—Rs. 52-4.

4. Maulvi Abdul Jabbar Talukdar, Member (Nawapara)—Rs. 207-8.

5. Babu Debendra Nath Biswas, Member (Chapail)—Rs. 175-8.

6. Babu Rasik Lal Roy, Member (Pakhimara)—Rs. 95.

7. Maulvi Mossaraff Hossain, Member (Lahuria)—Rs. 78.

1928-29.

1. Maulvi Nur Muhammad, Chairman, Local Board, Narail—Rs. 64-6.

2. Maulvi Waliar Rahman, Vice-Chairman, Local Board, Narail—Rs. 189-6.

3. Maulvi Abdul Jabbar Talukdar, Member (Nawapara)—Rs. 124.

4. Babu Kiran Chandra Sen, Member (Jessore)—Rs. 90-2.

5. Babu Debendra Nath Biswas, Member (Chapail)—Rs. 331.

6. Babu Rasik Lal Roy, Member (Pakhimara)—Rs. 142-8.

7. Maulvi Mozaharuddin, Member (Tona)—Rs. 121.

8. Maulvi Syed Mossaraff Hossain, Member (Lahuria)—Rs. 117.

1929-30.

1. Maulvi Nur Muhammad, Chairman, Local Board, Narail—Rs. 208.

2. Maulvi Waliar Rahman, Vice-Chairman, Local Board, Narail—Rs. 294-5.

3. Babu Debendra Nath Biswas, Member (Chapail)—Rs. 176-4.

4. Maulvi Mossaraff Hossain, Member (Lahuria)—Rs. 117.

5. Maulvi Mozaharuddin, Member (Tona)—Rs. 58.

6. Babu Rasik Lal Roy, Member (Pukhuria)—Rs. 170-12.

7. Babu Kiran Chandra Sen, Member (Jessore)—Rs. 121-8.

8. Maulvi Abdul Jabbar Talukdar, Member (Nawapara)—Rs. 103-12.

Khan Bahadur Maulvi AZIZUL HAQUE: Will the Hon'ble Minister be pleased to state whether in view of the fact that this matter concerns the district board alone, this should form the subject matter of a question in Council?

The Hon'ble Mr. BIJOY PRASAD SINGH ROY: This question has been admitted by you, Sir.

Mr. PRESIDENT: You are not putting a supplementary question but you are raising a point of order insidiously?

Khan Bahadur Maulvi AZIZUL HAQUE: Yes, I consider it an abuse and taking undue advantage of a privilege to bring matters which are solely the concern of the district board before this House and also to try and obtain information.

Babu JITENDRALAL BANNERJEE: Is asking the names of the chairmen and vice-chairmen taking an undue advantage?

Mr. PRESIDENT: If your action is clearly to dispute the propriety of the Chair in admitting this question, why did you go about it in this roundabout fashion?

Khan Bahadur Maulvi AZIZUL HAQUE: I do not question the right of the Chair. I say that this question ought in the first instance to have been referred to the local board.

Mr. PRESIDENT: Order, order. I wholly disapprove Khan Bahadur's action, but I may tell him that he is entirely wrong in thinking that the question was out of order.

Unstarred Questions

(answers to which were laid on the table).

Détenu Sj. Ambica Chakraburtty.

98. Maulvi HASSAN ALI: (*a*) Will the Hon'ble Member in charge of the Political Department be pleased to state whether Sj. Ambica Chakraburtty, an undertrial prisoner in the Chittagong conspiracy case, was detained at Calcutta on his way to the Suri Jail?

(*b*) Is it a fact that he has been suffering from tuberculosis?

(*c*) What medical aid has been given to him?

(*d*) Is it a fact that he was taken to the Police Hospital for examination of the wounds received by him at the hands of the police?

(e) Is it a fact—

(i) that he was beaten on his chest by the Chittagong Police immediately after his arrest from a village in Chittagong; and

(ii) that he got tuberculosis as a result of the said physical injury?

(f) Is it a fact that he was made to travel with no warm clothing on while being taken to the Suri Jail?

(g) Is it a fact that he has been placed in Division III as an under-trial prisoner?

MEMBER in charge of POLITICAL DEPARTMENT (the Hon'ble Mr. W. D. R. Prentice): (a) and (b) Yes.

(c) He has been placed in a ward in the Suri Jail which the Superintendent considers "as good as any Tubercular Ward in any Tubercular Sanitarium."

(d) On 8th November, 1930, he was examined in the Police Hospital and a scar about six months old was found on his forehead which might have been caused by a bullet.

(e) (i) and (ii) No.

(f) No. He had ample clothing of his own and refused a jail blanket.

(g) No. Division II.

Babu JITENDRALAL BANNERJEE: Will the Hon'ble Member be pleased to state whether Suri is regarded as one of the healthiest places in Bengal?

The Hon'ble Mr. W. D. R. PRENTICE: I am not aware.

Mr. SHANTI SHEKHARESWAR RAY: Will the Hon'ble Member be pleased to state whether Suri is recognised as a sanitarium?

The Hon'ble Mr. W. D. R. PRENTICE: Prisoners who are suffering from tuberculosis are, I am told, ordinarly sent to Suri.

Babu JITENDRALAL BANNERJEE: Will the Hon'ble Member be pleased to state whether he has any knowledge of what is regarded as healthy places in Bengal?

The Hon'ble Mr. W. D. R. PRENTICE: I am afraid I am not in charge of the Jails Department.

Babu JITENDRALAL BANNERJEE: Is not the Hon'ble Member able to answer any questions regarding this?

The Hon'ble Mr. W. D. R. PRENTICE: No.

Maulvi SYED MAJID BAKSH: Will the Hon'ble Member be pleased to state who is responsible?

The Hon'ble Mr. W. D. R. PRENTICE: The District Magistrate.

Maulvi SYED MAJID BAKSH: Will the Hon'ble Member be pleased to state whether he is a medical man?

The Hon'ble Mr. W. D. R. PRENTICE: No.

Communal tension at Nilphamari.

99. Babu KHETTER MOHAN RAY: (*a*) Will the Hon'ble Member in charge of the Police Department be pleased to state whether it is a fact that the communal tension is still very high in the Nilphamari subdivision and has spread to the village areas?

(*b*) Is it a fact that the Hindu merchants and shopkeepers of Nilphamari town are being prevented from going to the village fairs and *hats* by the miscreants?

(*c*) Is it a fact that some of those who dared to go to the fairs and *hats* were assaulted, their articles looted and they were compelled to flee away to the town?

(*d*) Is it a fact that in the market and *hats* of Ramganj, Babrijhar and other places, Hindu shopkeepers of Nilphamari have been practically ejected from their market sheds and these sheds of Hindu shopkeepers have been forcibly occupied by the local Muhammadan shopkeepers and are still now in their possession?

(*e*) If the answer to (*a*), (*b*) and (*c*) are in the affirmative, will the Hon'ble Member be pleased to state what steps are being taken by the Government to restore peace and order in the locality?

The Hon'ble Mr. W. D. R. PRENTICE: (*a*) No. There is naturally some nervousness in the subdivision, but the village areas are unaffected.

(*b*) No.

(*c*) At Kellabari *hat* some hooligans rifled one or two shops but were soon put to flight by the Hindus and Muhammadans of the locality. No other cases of assault or looting and no cases of merchants or shopkeepers being compelled to flee away to the town have been reported.

(*d*) No.

(*e*) Does not arise.

Motion under Rule 24A of the Bengal Legislative Council Rules regarding imposition of an additional duty on salt.

Mr. P. N. GUHA: Mr. President, Sir, I would like to make a little change in the wording of my motion. In the fourth line of the motion for the words "other than that from Aden" the words "and to give a rebate to Aden merchants" should be substituted. My motion will then read as follows:—

"This Council considers the proposal of the Government of India to impose a further duty of 4½ annas per maund on all imported salt and to give a rebate to Aden merchants unjust and inequitable and calculated to throw an unfair burden on the people of Bengal and so enters an emphatic protest against the proposal and requests the Government of Bengal immediately to urge the Government of India to abandon it."

This has been found necessary on account of the fact that in the first instance the Government of India will collect this new duty from————

Mr. PRESIDENT: I have no objection to the alteration you propose.

Mr. P. N. GUHA: Sir, I accordingly beg to move it in the altered form.

Sir, salt is the only article without the help of which no human being can either swallow his food or carry on his existence and it is consequently the most important thing in the world. The question in connection with this indispensable article of food has been agitating the people of India for the last 12 months. A shrewd man as he is, Mr. Gandhi had no difficulty in realising the fact that the question of salt was the only question over which the dumb millions of India could be made interested and certainly this was the reason which induced him to select salt as the chief plank of the civil disobedience movement and Indian nationalism. I shall not enter into any discussion about the merits and demerits of civil disobedience, but I cannot help expressing the opinion that if a crusade against anything could make the people at large enthusiastic at all, it was certainly a crusade against the salt law. I mention this only to establish the fact that salt is an article in which every man, whatever his caste, creed, religion, social status or politics may be, is vitally interested. And it is this interest which has prompted me to raise the alarm that I have in the shape of the motion before the House. Sir, I am not going either to recapitulate the history of the legislation in connection with the salt

or tell the painful story about the extinction of the salt industry in India, particularly in Bengal. Volumes have already been written and volumes will hereafter be written on it. I will begin with the position we are now in.

India in general and Bengal in particular is dependent on salt imported from other countries. This is a misfortune in itself, but we would probably have not felt the misfortune so keenly if we could get our salt at a price in which its foreign manufacturers would be able to sell it to us at a profit. That possibility has vanished on account of the duty that our bankrupt and unsympathetic Government have imposed on all salt imported into India from foreign countries. We have, for a number of years, been paying a price for an ounce of salt much more than what its importers should legitimately have been satisfied with. The Government of India have got their eyes on the poor man's salt constantly fixed and they never miss an opportunity to tax it. Sir, the tax from salt was raised only a few years back and now a proposal has been put forward to increase it still further by 4½ annas on every maund of salt. This, Sir, is really the last straw on the back of the camel.

It was on July 25th, 1929, that the Government of India issued a resolution asking the Indian Tariff Board to inquire and report "whether it was desirable in the national interests that steps should be taken to encourage the production of salt in India suitable for consumption and, if so, the measures necessary to do that." The report of the Board was published in November last; it is a lengthy report and I will deal only with the portion in which the case of Bengal has been discussed. Sir, those who had carefully studied the report of the Tariff Board would admit that the members tried their level best to find out ways and means by which the people of Bengal could get their salt at a cheaper rate. But it is an irony of fate that the Board while dealing with the case of Bengal forgot the principle of the terms of their reference. The Government of India asked them to find out measures necessary to encourage the manufacture of salt in India, and in the ordinary course of their investigation they should have examined the question of the possibility of the revival of the salt industry in Bengal. They did nothing of the sort; they clean forgot the existence of the Bay of Bengal and kept their eyes shut against the history of the growth, development and finally the extinction of the vast salt industry in Bengal. Not a word is found anywhere in the report about the possibility of making Bengal self-contained and independent of other sources in connection with her necessary salt. The Board took it for granted that Bengal would have to depend on supplies from outside for all time to come and making this the starting point, the Board devoted its attention to ascertain the party which should have the privilege of sucking the blood of Bengal.

Sir, the Tariff Board found that Bengal required approximately five hundred thousand tons of salt, *i.e.*, 135 lakhs of maunds, and these were supplied mainly by foreign countries and on a small scale by Okha, Karachi and Aden. I need not tell the House that from time immemorial the Bengali people, rich and poor, Hindus and Mussalmans, have been accustomed to use fine white salt only. The Tariff Board also knew that as well as the fact that the present production of fine white salt in India proper was inconsiderable.

The Tariff Board found that out of 500,000 tons of salt consumed in Bengal, Aden supplied 170,000 tons and Karachi and Okha only 25,000 tons. So it is found that Bengal was bound to consume at least 300,000 tons of foreign salt. The Tariff Board has expressed the opinion that the maximum output of Karachi and Okha shall at no time exceed 150,000 tons and that of Aden 180,000 tons; so if Bengal consumes the total output of Aden, Karachi and Okha, she will still have to depend on foreign supplies for about 200,000 tons a year, and even a duty of two annas per maund was considered unjust by the Tariff Board. I shall quote the wording of the report: "A duty of two annas per maund is sure to be burdened with an annual amount of about Rs. 20 lakhs and that in order to allow Okha and Karachi to place in the Calcutta market an output which to-day does not exceed 25,000 tons, but may in future amount to 147,000 tons. Taking the value of salt according to the present import price at approximately Rs. 15 ex-ship, the annual payment by the Bengal consumers will far exceed the value of Indian salt likely to be produced at Okha and Karachi for many years." The Board add further. "Considering the limited extent to which the national interests would be served by the establishment of the salt industry at Okha and Karachi, it would be entirely unreasonable to expect the consumers in Bengal to shoulder a burden of this magnitude." Yet, Sir, this burden is being thrown on us by the Government of India. The Tariff Board was strongly against any increase in duty and they suggested other means. One of them was to reduce the railway freight for carrying salt to Bengal from Sambar and other places inside India. This the Government has not done. Another suggestion was the establishment of a Marketing Board. Sir, this is neither the time nor the place to enter into a discussion of the proposal of the establishment of a Marketing Board. All that I need say is that it has not yet been established and in fact no effect has yet been given to the recommendation of the Tariff Board. On the contrary, the Government of India is going to do the very thing which the Tariff Board repeatedly asked them not to do. The Tariff Board considered that even a rise of two annas on the duty would be unbearable for Bengal. And the Government of India, in spite of the recommendation, is going to impose a duty of 4½ annas per manud. Could anything be more preposterous than this?

Now, Sir, many members of the House will probably wonder how and why the Government of India took this extraordinary course. It was indeed a novel procedure. A few days ago the Legislative Assembly, at the instance of the Government of India, appointed a committee to examine the report of the Tariff Board. It should not be forgotten that the report of the Tariff Board was the result of a resolution of the Government of India and in the ordinary course of procedure the Government of India themselves ought to have examined the report and if they decided to take action in any direction, then it was their duty to go up to the Assembly with concrete proposals. But here the Government of India without expressing themselves one way or the other got a committee appointed by the Assembly to examine the report. The fact need not be overlooked that the members of the Tariff Board who examined the question of the salt were all experts and a committee of laymen were appointed to examine the recommendation of these experts. Could anything more ridiculous be thought of? Now it is this committee which, by a majority, has recommended the imposition of a duty which will cost Bengal and Bengal alone a sum of about Rs. 35 lakhs. And what will be done with this money? It has been recommended that this sum of Rs. 35 lakhs will have to be earmarked for fostering the salt industry in Northern India. That is the distinct recommendation of the committee. The committee was composed of seven or eight members and there were four members from Bengal, Mr. Heathcote, Mr. Morgan, Mr. Satyendranath Mitra and Mr. Charu Chandra Biswas. Mr. Heathcote and Mr. Morgan represent European interests. Mr. Biswas represents the citizens of Calcutta and Mr. Mitra, the Hindus of the Rajshahi and Chittagong Divisions. Messrs. Heathcote, Morgan and Biswas put in a very able protest against this entire levy, but Mr. Mitra has sided with the Board.

Sir, the pity of the whole thing is that the Assembly Committee has not thought it necessary to recommend the reduction of railway freight for the purpose of enabling Bengal to get Sambar and other salt at a cheaper price. If that had been done, we could have certainly used indigenous salt at a considerably lower price. We know further that they have disapproved of the proposal for the establishment of a Marketing Board, but they have urged the imposition of a duty which has been so much dreaded of by the Tariff Board. It will be seen, therefore, that the main proposal is to raise a special duty on all imported salt. The recommendations, if given effect to, will mean that money realised from Bengal will be utilised for the benefit of the four salt-manufacturing concerns in Aden of which three are run by Indians and one by an Italian, which is the largest. It will be seen that the Assembly Committee has set aside all the recommendations of the Tariff Board and done the very thing that the Tariff Board, in the interests of Bengal, decided should not be done. No useful

purpose will be served by peeping behind the screen and unveiling the unholy conspiracy entered into by the Government of India and the capitalists of other provinces. The outstanding fact is that the Bombay capitalists are to gain at the expense of Bengal.

Sir, I may tell the House that the object of helping the indigenous salt industry might have been well served if the Government of India had given direct bounty to the manufacturers of Karachi and Okha and even of Aden, if thought desirable. Such bounty from the purse of the Central Government would have to be shared by all the provinces and Bengal would certainly have borne her share with pleasure. The case is now wholly otherwise, for the proposal of bounty will compel Bengal and Bengal alone to pay the Bombay capitalists. This is unjust, unfair and inequitable and Bengal will not tolerate it.

Sir, my own idea is, and I believe my friends here will agree with me in thinking, that the grievance of the people of Bengal with regard to the salt will not be removed till the salt is allowed to be manufactured in this province. Turning to the salts produced at Sambar and elsewhere in India, it is a well known fact that they are neither white nor of the quality prepared in Bengal; yet I believe that the patriotism of our people would have induced them to use these salts if they could be had at a cheaper rate. That is, however, not possible till the railway freight is very considerably reduced. There is no indication that the Railway Board will even in the near future consider this matter. Consequently we in Bengal must remain dependent on salt that may come to our ports by sea. Sir, the figures I have quoted must have convinced the House that we shall not be able to do away with the foreign salt even if we consume the entire output of Karachi, Okha and Aden. Therefore Bengal must take her definite stand against any rise in the duty on foreign salt and we do so to-day specially to lodge our emphatic protest against the attempt that is being made to help the Bombay capitalists with the money of the poor millions of Bengal. The duty on salt had been considered most unfair at all times and we have been protesting against it all our lives specially for the reason that it is a burden even on the poorest of poor. We lodge our protest once again and we ask the local Government to inform the Government of India that we are unable to pay even a pice more.

Sir, in conclusion, I would request the Government of Bengal to take special note of the fact that the agitation started about a year back over the question of the manufacture of salt has not yet completely subsided. There is every chance of its revival if the salt is made dearer still. The Government of India should be told very plainly that the Bengal raiyats are almost sure to recommence the manufacture of salt if the burden is thrust on them. That again brings in a condition which will please nobody and which the Government of Bengal may find it difficult to cope with. It is for this reason, if for nothing else, that

the local Government should press the Government of India hard to drop the proposal of this unjust and unfair levy. With these observations I put forward my motion for the acceptance of the House.

Mr. C. C. COOPER: Mr. President, Sir, it is my privilege on behalf of the European group to accord our wholehearted support to the motion before the House.

I am informed that in one quarter at least this motion will be opposed, the argument to be produced being that it is a tax on Liverpool salt, and therefore to the benefit of India. Such an argument will not stand investigation being entirely sentimental and idealistic, and therefore most impracticable.

I want to make it quite clear at the outset that my party do not support this motion on selfish grounds; that we support the motion because we object to a penalty being imposed on Liverpool salt.

With all the emphasis at my command, I say such is not our motive.

We care nothing from whence the salt comes, but we do care very much that the people of Bengal should be made subject to this iniquitous tax, and the House can rely on the wholehearted support of the European Group in the effort to stay its imposition.

The Select Committee recommended that a duty of 4½ annas should be imposed on all salt (Indian and Foreign) imported by sea into British India.

That a rebate of the same amount be granted on imported Indian salt. This has not been adopted, the additional duty being collected on foreign salt only and not on Indian or Aden.

The advance of duty means an increase of about Rs. 43 lakhs in the price of salt to Bengal, out of which a very large proportion will go directly into the pockets of the Aden manufacturers. I would like to supplement the figures given by the mover—

Sir, the total annual imports of salt into Bengal average 500 to 550,000 tons per year.

The average imports of Aden for ten years ending 1929-30 were 174,997 tons per year.

The largest import from Aden in any one year was 216,586 tons per year.

There are four salt works at Aden—

(1) Aden—Messrs. Burgarella & Co.—Italian.

(2) Indo-Aden—Messrs. A. and J. Lalljee & Co.—Indian.

(3) Aden Solar Fine—Messrs. H. Lalljee—Indian.

(4) Little Aden—Messrs. C. D. Pallonjee—Indian.

The first two are old established firms and the last two post-War concerns.

Okha and Karachi salt were first imported into this market in 1928-29, the average imports for the three years ending 31st March, 1931, being Okha 4,104 tons and Karachi 12,260 tons.

From these figures, it is obvious that the Indian and Aden sources cannot supply the requirements of Bengal, and whatever may be said to the contrary, the Aden fields have very little room for further expansion, while Okha and Karachi are still more or less in the experimental stage.

Paragraph 65 of the Tariff Board Report admits there is no case for the protection of the Aden salt industry, yet the Government of India propose to inflict a heavy fine on Bengal to keep alive the salt works at Aden, Karachi and Okha. Bengal requires 5½ lakhs of tons of salt, of which the biggest supply Aden has yet been able to give, is 216,000 tons, and it follows, therefore, that for a number of years at least Bengal will have to rely on the import of foreign salt.

According to the Tariff Board's own showing, the first requirement of the Bengal market is a pure and consequently dry salt of the Liverpool standard. They state that the Bengal market is prepared to accept any good salt in proportion as it displays the qualities of Liverpool salt. And in order to bolster up Indian production to reach this standard, consumers are to be heavily taxed for advantages which, to say the least, are very obscure.

I maintain that Government are not justified in taxing foreign salt, unless they are absolutely satisfied that the Indian production of a generally acceptable quality of salt could be increased sufficiently to replace all foreign salt at a reasonable price—a conclusion which certainly cannot be reached from the Tariff Board's Report or from practical experience of the salt trade.

It is generally admitted that Karachi and Okha are in the experimental stage of salt manufacture, and have not up to now been able to produce the quality of salt demanded by Bengal. The Tariff Board admit that the greater proportion of salt produced in India is unfit for Bengal consumption. Bengal is asked to pay for the cost of these experiments in Western India as I would point out that one year's tax paid by Bengal would buy out all concerns on the other side of India.

The differential tax on foreign salt will mainly benefit Aden interests, which require no assistance, at the expense of the consumers in Bengal, Bihar and Assam to the tune of some Rs. 40 lakhs a year and that it may also result in the closing down of other Red Sea Works, which may eventually mean an actual shortage of supplies for India.

The intention of the Government of India is apparently to try to make the salt industry a key industry of India, and they propose to

do so at the command of Bombay at the expense of Bengal. Sir, why should Bengal be the slave of Bombay? At one time it used to be said what Bengal did to-day, the rest of India did to-morrow. Alas! it is no longer the case, for the Government of India now obey the behest of Bombay to the shame of Bengal.

It is obvious that the recommendations of the Select Committee were largely engineered by Bombay interests who were powerfully represented on the Committee who found ready and willing support from the Government, who are definitely committed to a general policy of protection for India.

The proposal to tax salt is the lifting of the veil to give us a peep into the future! An annual fine of Rs. 40 lakhs is the first penalty, Bengal is asked to pay for the benefits of Federation. It has been often stated that if the Britishers left India or gave over control in India, all the other provinces of India would descend on the fair fields of Bengal to despoil Bengal of her riches! There is now a definite proposal that Britishers should hand over control to India, and the first fruit of the proposal is the attempt of other provinces to rob Bengal!

3-45 p.m.

Babu JITENDRALAL BANNERJEE: Sir, for once in a way, and much to my surprise, I find myself in entire sympathy with Mr. P. N. Guha, and I have very great pleasure in supporting the motion which he has so opportunely brought forward. I cannot conceive of a more impudent and bare-faced attempt at fleecing the people of Bengal under the guise of a legislative measure. After all, what is the justification for the proposal? On the face of it, the proposal looks innocent enough —only four annas and six pies of additional duty upon every maund of imported salt. Four annas and six pies per maund works out at the rate of half a pice per seer. But when it is passed on to the consumer, it is bound to mean more than that. The increase will be at least one pice per seer. It would be exactly doubled and that is sufficient for my purpose. Assuming that the average man consumes six seers of salt, the additional amount would be one anna and six pies per head and taking the adult population figure of Bengal to be five crores, the additional tax on the population would be nothing short of 30 to 40 lakhs of rupees—and this not for the benefit of any indigenous industry but for the benefit of a ring of speculative merchants operating from Bombay.

I would ask the House to consider another set of figures. The total consumption of salt in India is two million tons. Out of this—my figures are of course rough and approximate but would be found to be fairly correct—15,000 tons are produced in India and are consumed by

the rest of India, *i.e.*, the rest of India with the exception of the north-eastern part of the country. So far as Bengal is concerned, or rather the region supplied by the ports of Chittagong, Rangoon and Calcutta, this part of the country depends entirely upon foreign salt. These three ports import salt to the tune of 5,000 tons—89 per cent. of which is divided between Calcutta and Chittagong, while 11 per cent. is taken by Rangoon. Thus it will be seen that practically the whole amount of imported salt is consumed in Bengal; out of this, 32 per cent. comes from Aden, 12 per cent. from Liverpool, 12 per cent. from Hamburg, 8 per cent. from Spain and the rest from Africa.

Now, four annas and six pies per maund would amount to Rs. 34 lakhs by way of duty alone; and Mr. P. N. Guha seems to take it for granted that that is the only extra amount that Bengal will have to pay. But the facts are far otherwise. Bengal will have to pay Rs. 34 lakhs by way of duty alone. But when this is passed to the retail dealers, and from the retail dealers to the consumers, the difference will be very much more. It will amount to twice as much or perhaps even more. So the people of North-eastern India will lose, not Rs. 34 lakhs, but anything between Rs. 70 and 80 lakhs every year. And for whose benefit? It may be said that it is for the benefit of India. If that were so, if it were for the benefit of any indigenous industry, we might submit to it, however reluctantly, in the interest of the common good. But, without entering into the large question of protection *versus* free trade, I may say that it is absolutely a misuse of words to say that it is for the benefit of indigenous industry that this additional tax should be levied. In the first place, since when has Aden become a part of India? Administratively, yes. But geographically is it so? It is no more a part of India than Gibraltar is of England. It is no more a part of India than Mecca, Medina, Jedda or any other town of Arabia. And why should the people of Bengal submit to additional taxation for the benefit of an industry carried on in Aden, and the profit of which will enure to less than half-a-dozen Indian capitalists? But, Sir, that is not the only point to be considered. There is salt manufactured in this country itself—at Karachi and Okha. No doubt, so far as Bengal is concerned, only 5 per cent. of our demand used to be supplied from Karachi. But of recent years, Karachi has been making up a good deal of lee-way; and my point is that, as the result of the new policy, it is the indigenous salt industry of Karachi which will be hit the hardest. The real competition is between Aden and Karachi; and as the result of the new policy, Aden will be in a position to oust Karachi from the Bengal market. Sir, the salt industry in Aden is very well organised; and with the bounty which they will now receive of Rs. 11 lakhs or more by way of rebate of the entire amount of duty by them, will they not be in a far better position to fight the Indian Industry and kill it eventually? Therefore, the additional duty to be levied by the Government of India instead of benefiting an

indigenous industry, would be the surest means of killing it—and that for the benefit of a few mercantile magnates of Bombay. There is no question of protecting an Indian industry here; the sole question is of destroying an Indian industry with money levied from India.

Sir, there is another aspect of the matter. Up till now the burden of our complaint was that the poor man's salt should be taxed. And now the Salt Committee, consisting of a majority of Indian members, light-heartedly propose that salt should be taxed much more! Are we then to understand that taxation of salt is bad when it is for the purpose of revenue, but that it is entirely good when levied for the good of Bombay capitalists? Sir, I refuse to be convinced by this logic and I refuse to submit to this exorbitant extortion on the part of the Government of India and the friends of Bombay. In this connection the question of protection does not arise. I fail to understand why Bombay should prosper at the cost of Bengal. I may be accused of being parochial in my outlook, but I confess that all my natural feelings are roused when I see a tax levied for the benefit of one province at the expense of my own.

Mr. S. M. BOSE: Sir, I rise to give my wholehearted support to this motion, and I do feel that the mover deserves our best thanks for so promptly drawing the attention of Bengal to this very important matter affecting the welfare of the province. When a short time ago, many in India were pleading for the total repeal of all tax on salt, which is a bare necessity of life, specially for the poor, when many were crying against the injustice of the salt tax, when thousands of men have been defying the salt law, and going to jail, does it now lie in our mouth to talk of raising this tax which would put a greater burden on the poor, for whom we profess, at any rate, so much concern? This does make one suspect the sincerity of our feeling for the dumb millions. Do we really feel for them, or are they merely pawns in the game, to be sacrificed, for our purposes, whenever we think it necessary?

Sir, as is well known, salt used to be manufactured in Bengal. The famous Fifth Report of 1812 mentions that salt for Bengal was obtained from earth impregnated with sea salt at the mouths of the Ganges, in the tracts between Balasore and Chittagong. On the acquisition of the Dewany, the inland trade in salt, betel-nut and tobacco was vested in an exclusive company for the benefit of the European servants of the East India Company, who got the profits of the concern, in lieu of salary. Incidentally, it is a matter of interest to find that the Hon'ble Mr. Marr's predecessors did not get Rs. 64,000, but the profits from salt and *pan*. The exclusive society was finally put an end to in October, 1768. Thereafter, the East Indian Company used to farm out the salt *mehals* and began to pay a commission of 10 per cent. on their profits to their European agents employed in this department. I need

not dwell at length on this matter. Suffice it to say, that the system introduced led to large fortunes being made by many of the Company's servants and that from 1873, the manufacture of salt in Bengal ceased entirely.

Turning to the proposed Bill, we do not know if one of its objects is to start an up-to-date salt manufactory in Bengal. Will the Finance Member of the Government of India promise to earmark half the money raised by this tax for the manufacture of salt in Bengal? About Rs. 40 lakhs will, as has been calculated, be raised chiefly from Bengal, and the only possible justification for the Bill would be that the proceeds of the tax will be mainly devoted towards salt manufacture in Bengal. For, naturally we in Bengal would like to eat our own salt, and revive an old Bengal trade. Our real complaint is that the Bill is being rushed through without taking into confidence either the Government, or the people, of Bengal, who are vitally interested in the matter. I would like the Leader of the House kindly to tell us if the Government of Bengal have been in any way consulted, and if so, why they did not ask for public opinion on the matter. I tried my best to get the Report of the Salt Industry Committee of the Legislative Assembly, but in vain; it has not been printed in the gazette nor is it available now. It is a matter of some interest to note that Sir George Schuster presented to the Assembly the above report on the 13th instant and on the 17th, he introduced the Bill for the additional duty. Why, one may well ask, this tremendous hurry? Would it have ruined India if there had been a little time given for consulting Bengal opinion? Why, I ask, does there seem to be an attempt to stifle opposition?

4 p.m.

Then there is another curious matter. The Salt Committee recommended that an additional duty be imposed on all salt, Indian or foreign, imported into British India by sea. This is an excellent principle, but why do they then say that Aden is to be regarded as part of India, and a rebate equal to the duty be given to Aden salt? This seems very extraordinary, this tenderness for Aden, which has nothing whatever in common with India. Sir, I deny that Aden can in any sense be regarded as part of India. Historically, politically, and geographically, it has nothing to do with India. For internal administrative purposes *alone*, is it under the Government of Bombay? During the great War, the political relations of Aden were under the control of the High Commissioner of Egypt. From 1920, the political control over Aden was entrusted to a Resident directly under the British Foreign Office. In 1921, the control passed to the Colonial Office. London is entirely responsible for its military and political administration. From 1927, the Government of India is to contribute a fixed sum towards the military and political charges for Aden. I, therefore, maintain that

no case whatever has been made out for a rebate in favour of Aden salt. Surely the reason cannot be that many Bombay merchants are intimately connected with salt manufacture in the Red Sea ports. Was it the intention, we wonder, to give a bounty to Bombay in the *benami* name of Aden? The Salt Committee admit that the immediate result of the additional duty will be to affect consumers in the areas depending on foreign salt, *viz.*, Bengal, Assam, Burma and parts of Bihar and Orissa. It has been estimated that the Bill, if passed, will cost these consumers an additional tax of over Rs. 40 lakhs per annum. At this critical time, in the midst of tremendous economic depression, when Bengal is on the verge of ruin owing to the jute crisis, when our peasants are on the brink of starvation, they are to be asked to pay this heavy sum, this penalty, this bounty, to Bombay. The policy of economic discrimination, already enforced in favour of Bombay, is being extended. The poor people of Bengal are being, if I may say so, fleeced more and more every year for the benefit of other provinces, and we have kept silent so long. But I do think it is time to speak out. Only the other day I sounded here a note of alarm, warning us about the present slogan "Bengal for the non-Bengalis"—here is an example of Bengal being exploited for Bombay. A hundred years ago, the mothers of Bengal used to frighten their unruly children by telling them of the Mahratta freebooters of Bombay, who had come to raid Bengal; the spiritual descendants of these gentlemen are now in power in Delhi and are following the same methods brought up to date. Sir, at one time, Bengal was in the van of progress; now she is fallen low, and none so poor as to do her reverence. I appeal to our people to rise to the occasion, and to carry on a vigorous agitation so that it would be impossible for the Government to pass this unjust measure. It may be that there is some good reason behind it, but we must first be satisfied about that, and no case at any rate has been made out for this unseemly hurry. I, therefore, oppose this inequitable measure, and I call upon the people of Bengal "Awake, arise, or be for ever fallen."

Mr. NARENDRA KUMAR BASU: Sir, I rise to give my support to the resolution moved by Mr. Guha. I confess, Sir, that when the proposal of the Government became first known to me that they were going to impose a further duty on foreign imported salt, I thought that the Government of India was turning *swadeshi*, and they were trying to foster the manufacture of indigenous salt. I must also confess that when I heard that the European merchants were against the proposal of the Government of India, I thought the proposal must be to the benefit of the people. That was the first thing which occurred to my mind. But when I found that even the Tariff Board had said that "there was no reason to suppose that the larger manufacturers in Aden are likely to succumb to foreign competition and that the payment of a bounty to them from Government would not be justified," when I

saw that the only consumer of foreign salt is, to our eternal shame it may be said, Bengal and Burma—I find that more than 5¼ lakhs of tons of foreign salt is annually consumed in Bengal—and when I found that this additional tax would impose a further burden of between Rs. 40 to 45 lakhs on the poor cultivators from the tax alone, not to speak of the much larger addition to the price likely to be made by the retailers, I realised that this was a proposal which ought to be opposed by every patriotic Bengalee even in spite of the opposition of the European Association. In addition to that, Sir, I must say that the proposal to hand over the amount of the taxation as rebate to Aden makes us very much suspicious. The fact of the matter is that as I expressed myself in this Council two or three days ago about a certain department of the Government of Bengal being the department-in-law, here we have got a proposal which is meant solely for the interests of a very small number of persons belonging to the same family—a family of relatives-in-law of a man placed high in the Legislative Assembly. Therefore, like the barber-in-law and the department-in-law, this is a legislation-in-law and that makes us very suspicious. Not that anything which penalises the foreign salt merchants who in 1927-28 combined to keep the price of salt in Calcutta at Rs. 122 per ton would be distasteful and not that it is not a pleasure to see that they are penalised, but unfortunately the penalty in this case would fall on the people of Bengal alone who are very much unable, more specially at the present moment, to stand this additional burden. We would have gladly stood this burden, had it been for the good of the people of Bengal. But for whose good is this proposal made? For whose benefit is it meant? As it is for the benefit of only two or three merchants in Aden namely, an Italian firm and three inter-related Bombay firms, I see absolutely no reason why Rs. 45 lakhs in taxation and probably another Rs. 45 lakhs in price should be fleeced from Bengal.

Rai Bahadur KESHAB CHANDRA BANERJI: Sir, I rise to enter my emphatic protest against the proposal to impose an additional duty on foreign salt, not because I am against protection of Indian salt industry but because I feel that the protective scheme, as fathered by the Assembly Committee, is unfair for Bengal. The consumers would be hard hit—the magnitude of their plight can only be realised if we go deeper into the question. If you care to go through the report of the Tariff Board on salt industry, you will find that the self-same question of protection was mooted by them and they recognised that there were no economic grounds for the protection of the Indian salt industry. I feel that foreign salt is being dumped into the Bengal market at low prices but that is no argument why the consumers should be bled white at this critical juncture in Bengal's economic history. The poor consumers who are already eking out a miserable

existence would simply be pulverised to pieces if further burden were put on them. This additional duty on foreign salt will be an indirect tax on the dumb millions of Bengal. At the present moment, Bengal takes roughly about 5,00,000 lakhs tons of imported salt against 1,80,000 tons from Aden and 25,000 tons from port Okha and Karachi. The maximum output of the Okha and Karachi works is not likely to exceed 1,47,000 tons. Therefore, an additional duty on foreign salt for the sake of Okha and Karachi works would mean that the Bengal consumers would be giving their blood for the so-called national interest. I do not suggest for a moment that the Indian salt industry at Okha and Karachi should cease to exist, but I know that in this economic crisis of the country it would be too much to ask Bengal to pay such a heavy penalty for the "national" salt.

Sir, moreover, the recommendation of the Assembly Committee is suspicious. There is the Tariff Board—a body of experts—giving their conclusions on the safeguarding of Indian industries. What special situation has cropped up there to appoint a body of legislators to recommend a measure which is unfair from various points of view? This is an unusual practice, an extraordinary procedure, and it gives rise to a constitutional question. I cannot appreciate the indecent haste with which the measure is sought to be brought about.

Sir, the fact that the Government are anxious to give protection to the Indian industry unasked and unsolicited is likely to arouse suspicion in the public mind. When the Assembly advocated the imposition of a countervailing duty on South African coal, the Government hesitated and shirked. But as regards salt, they are showing an unnatural enthusiasm for protection and surely the reason lies deeper. Is it a political gesture of peace or a coup to divide the nationalist opinion by giving sop to one and goose to the other. Sir, the move is not only suspicious but the burden on Bengal will be unreasonable and unfair. The menacing poverty of Bengal cannot stand any further pressure from above, and the Bengalee families cannot welcome this so-called protection which will spell ruin to many.

Before I resume my seat, I would like to refer to one other aspect of the question. I cannot appreciate the view point put forward by the Assembly Committee that the proceeds of the duty would be spent on exploring and investigating other sources of salt. Research and investigation are all right, but by the time they will materialise, the consumers of Bengal, knocked down and wiped out by economic distress, will no longer be in existence to enjoy the blessings of other sources of salt industry providing adequate supply to all. If the supplies from Okha and Karachi works were adequate for the Bengal market, there would have been less cause for anxiety. In the absence of an adequate supply, the consumers will have to take to foreign salt

at a higher price. That is not surely giving protection to the national industry; it is hitting the national consumers. This is, to put it sympathetically, a tragedy of good intentions self-defeated. With these words, I support the motion of Mr. P. N. Guha.

4-15 p.m.

Rai Bahadur BADRIDAS GOENKA: Sir, I rise to support the motion which is before the House. At the outset I want to make it clear that my community do not, as a rule, use imported salt and that I am not personally interested in the salt trade in any way. Sir I was surprised to hear that the report of the Tariff Board on the Protection of the Salt Industry had been referred to a Committee of the Assembly for consideration. Sir, the Tariff Board are a body of highly qualified men who have had years of training in their special line and it was most surprising that their report should have been referred to an amateur committee for consideration.

Sir, the Tariff Board, after a thorough, complete and scientific investigation, came to the conclusion that there was no case either for imposing an additional duty or for giving a bounty and they further expressed the view that assistance in any such shape would be wholly unjustifiable. The reasons they gave in support of this conclusion are unassailable, but the Salt Industry Committee of the Assembly have come to a contrary conclusion for reasons known to themselves only. In vain one goes through their report to find an argument in refutation of the arguments of the Tariff Board and I am not prepared to accept the *ipse dixit* of the committee.

The report of this committee bears little evidence that they have been able to consider the question either in an unbiassed spirit or in all its different aspects. They have simply given their verdict in favour of an additional duty of 4½ annas per maund as if increasing the import duty is the only and the best means of protecting the indigenous industries.

Sir, I yield to none in my desire to see our country self-contained industrially and I am always prepared to support the levy of protective duties on foreign imports, but I want to be satisfied that the proposed duty will really meet the object in view and will not be injurious to the people of the country. I do not see that the Salt Committee's recommendation satisfies any of these tests. The proposed additional duty of 4½ annas per maund, if it is really sanctioned by the Assembly, will hard hit the people, particularly the poorer classes of Bengal, Bihar, Orissa and Assam. The annual import of salt into these three provinces amounts roughly to 500,000 tons through the ports of Calcutta and Chittagong and the proposed additional duty will thus

impose on them a burden of over Rs. 40 lakhs. In place of about Rs. 40 the poor people of Bengal, Bihar, Orissa and Assam will have to pay over Rs. 64 for every 100 maunds of salt they consume and what will they get in return for the heavy sacrifice? The Assembly Committee's report is vague on this point.

Sir, the works in Karachi and Okha produce only about 25,000 tons a year and this production might in the distant future increase to 147,000 tons. Then there is the question of Aden. We were up to now under the impression that Aden was a part of India for political and international considerations. The report of the Assembly Committee has brought home to us the fact that Aden is a part of India for Fiscal purposes also.

I understand that Indians are interested in three small factories in Aden, but that the biggest factory there is in non-Indian hands. Sir, is it fair or reasonable, I ask, to mulct Bengal to the tune of Rs. 40 lakhs for helping some small factories? Sir, the people of Bengal are wholly unable to bear such a heavy burden particularly at a time of economic stress like the present and I therefore urge upon the Government of India to drop the Bill.

Maharaja SRIS CHANDRA NANDY, of Kasimbazar: Sir, I rise to associate myself with the resolution before the House protesting against a grievous wrong which is being attempted to inflict on Bengal in the name of national interest. Nationalist India has been, during the last fifty years, advancing an insistent demand and carrying on a persistent agitation for removing the duty on salt imposed for revenue purposes. I remember how the late Mr. Bryan, in his somewhat scathing criticism of British rule in India castigated the Government for the tax collected on salt. "This is not only a heavy rate," he said, "when compared with the original cost of salt, but it is especially burdensome to the poor." It was during Lord Reading's Viceroyalty that the Legislative Assembly carried a cut in the salt tax which the Viceroy had to restore by the use of his extraordinary administrative power. The first item in Mahatma Gandhi's programme of civil disobedience has been the breaking of the Salt Law. But to-day, when we are within measurable distance of a constitution which we hope would give us—not the shadow but the substance of self-government—an attempt is being made by an interested coterie to foist on Bengal a burden which she can ill afford to bear—to penalise her in the interest of a few Bombay millionaires.

Sir, the constituency which I, along with my friend Kumar Surendra Nath Law, have the honour to represent sounded the tocsin

of alarm when they protested against the recommendations of the Tariff Board in this matter. Then the Government adopted an extraordinary procedure. The reports of the Tariff Board are supposed to contain a verdict returned by a body of experts. It has been the usual practice for the Government themselves to consider the report of the Board and accept or reject it in any measure as they have thought it necessary. But in the present case the Executive left it to an Assembly Committee to adumbrate and advance a scheme. The result has been the proposal now before the Assembly, a proposal which I feel ashamed to find had the support of at least one Bengal member who was on the Committee.

Sir, we in Bengal yield to none in our tender solicitude for national industries and I need hardly say that Bengal sentiment has been successfully exploited by the other provinces—especially Bombay since the days of the Swadeshi agitation of 1905. The struggling cotton mill industry of Bombay reaped a golden harvest when British textile goods were boycotted in Bengal as a protest against the partition of the province. Since then the policy of exploitation has been persistently pursued. And to-day we find a Chamber of Commerce which has been founded in Calcutta to serve the interests of exploiters from the other provinces lending the support to the Bill before the Assembly. The principle embodied in that is unjust to Bengal and highly objectionable. Its acceptance will benefit not even the people of Bombay but a few Bombay industrialists. Bengal is to be bled white in order to afford facilities to a few Bombay merchants to have their palaces on the Malabar Hill.

Bengal protests against this attempt to saddle her with an annual loss of about Rs. 35,00,000 with which she can establish the salt industry to serve her own interest; and her shoulders are broad enough to bear the charge of antagonism to a national industry which interested persons would attempt to place on them. Provincial patriotism is certainly purer and dearer to us than a policy of self-aggrandisement at the expense of our neighbours. We feel strongly on this point. The salt of the poor Bengalee cultivator and labourer should not be taxed to add to the profits of the Aden manufacturers who are mostly Bombay merchants with influential friends and perhaps relatives also in the Assembly.

I would like to see Bengal produce her own salt and cease to be dependent on supply from other countries or other provinces I may agree to bear a share of the burden that may be imposed on the whole country to grant a bounty to the nascent salt industry in Karachi and Okha. But we can never agree to the preposterous proposal to penalise Bengal and Bengal alone to suit the interests of manufacturers of salt outside Bengal and outside India.

Khan Bahadur Maulvi AZIZUL HAQUE: I desire to give my full support to the motion moved by Mr. P. N. Guha. Sir, Bengal is in the unfortunate position of facing a crisis every ten years. The first came in 1911 when the capital was removed to Delhi. The second came ten years later when the Meston Settlement was made and the third, after another ten years when a veritable crisis has come upon us, when this salt tax is going to be levied on the people. It is unfortunate that Delhi politics have come to such a position in which the Government of India has to resort to these measures; but I think it is our duty to raise a protest and say distinctly that whatever may be necessary for building up national industries in India, this measure is undoubtedly inopportune just now, especially in consideration of the fact that Eastern Bengal specially and the whole of Bengal generally is suffering from a very grave financial depression. We have not only to cry out in protest but to raise a very strong protest against this inequitious imposition. I think the Government of India might be a little more charitable to the people of Bengal and wait for the time in which it may be possible for the people to give more freely. My friend Mr. Banerji was arguing on the supposition of annual consumption of salt in Bengal. I will give you the figures. Taking the jail rules which certainly do not verge upon liberality, each man on an average requires seven chataks of salt daily. This gives us an annual figure of ten seers or twenty pounds and our total requirements in Bengal thus amount to 14,000,000 maunds and the position will be that on extra taxation of 4 annas 6 pies per maund, the figure will exactly come up to Rs. 40 lakhs. That is the exact figure which we have to pay. I do not wish to take up much time of the Council but I think that it is impossible for the consumers in Bengal to pay this extra taxation to-day.

4-30 p.m.

But even if this be imposed in normal times I have only to draw attention to the Government of India to this that this taxation is against all economic principles. You cannot possibly make the consumers of one part of the country pay for the benefit of a few producers of another part, and I think it will be a travesty of national industry if a few persons engaged in the industry in another part of the country in distant land are to be considered as deserving of support at the cost of the entire rural population of Bengal. I have only to say this much, Sir, that our party fully realise that we must be self-sufficient in all our needs and requirements but we may be pardoned to say that it is impossible to tolerate that others will always benefit at our expense. Sir, salt is an article of vital necessity to the people of Bengal who depend upon rice and vegetables, which require a greater dose of salt, than the people of Bombay and the Punjab who have other diets.

Sir, I support this motion on the ground that it affects us primarily and also on the ground that the present scheme will not make it possible for India to build up national industry in salt. The development of Karachi salt depends upon reducing the distance between factory and port, arranging port facilities reducing Railway load and many other factors that will take years. In the meantime, by this taxation an attempt is being made to realise a bill of Rs. 40,00,000 from this province for the benefit of a few producers outside the country. I have not yet known any example in the history of the world where the producers of one country are allowed to dominate over the consumers of another country. Rebate proposed to be given to Aden merchants and half of which will go to an Italian firm may be necessary if Italy is to be appeased but not in the interest of India. I should have expected Government to give a lead to production of salt in this Presidency and spend money on it. But where there is none, and there is hope for no such future, I strongly support the motion moved by my friend Mr. P. N. Guha.

Mr. SURENDRA NATH LAW: Mr. President, Sir, I rise to give my support to the resolution before the House. The purpose of the Bill which has recently been introduced in the Assembly is to penalise Bengal not for a struggling national industry, but for the purpose of putting more money into the pockets of some prosperous industrialists at the cost of this province. The Bengal consumer may be called upon to bear an additional burden only if he knows that the price is worth paying and is not more than is absolutely necessary. The Bengal National Chamber of Commerce which I have the honour to represent in this Council has issued a statement in which it has been shown that Bengal at the present moment takes about 500,000 tons of imported salt. The output of the Karachi and Okha salt works does not exceed 25,000 tons—the rest being imported from Aden and other places. Liverpool salt is imported in a quantity which is negligible. Aden exports 180,000 tons and Aden though politically a part of India is not actually so. The salt works there are not in need of any help as the Tariff Board pointedly remarked that "there is no reason to suppose that the larger manufacturers in Aden are likely to succumb to foreign competition." Yet a benign Government seem to be eager to help them to make an additional profit of four annas and a half per maund on a commodity which must be consumed by the poorest of the poor and which our politicians and economists have, during the last fifty years, striven to make cheaper by making duty free. It is certainly an irony of fate that at a time when Bengal has been so hard hit by trade depression that the local Government have been constrained to grant relief to its cultivators and help to its landlords and when Mahatma Gandhi has secured from the central Government that in places where salt can

be easily had the people have the right to collect or manufacture it for their use or for sale within the village, Bengal should be asked to pay an additional duty of four annas and a half per maund of salt not for the development of the industry in the province, nor even for granting extended facilities to the salt works at Karachi and Okha but mainly for adding to the profits of the prosperous proprietors of salt works outside India—in Aden.

The only ground on which the Tariff Board considered an off-setting duty justified for the Indian salt industry at Karachi and Okha was the stabilisation of prices over a long period through Government control by means of a Marketing Board. This expert view has been rejected by the Assembly Committee which has, however, suggested the levy of a protective duty involving Bengal in a loss of over Rs. 35,00,000 a year.

The cry of "national industry in danger" should no longer delude the consumer of salt in Bengal that he will pay the additional Rs. 35,00,000 a year for any permanent benefit. If it is considered necessary to help a struggling industry in India let bounty be granted to the works at Karachi and Okha and let all India pay proportionately for it. But the cloven foot of Bombay manipulators becomes evident when instead of demanding bounty for Karachi and Okha which produce only 25,000 tons the proposal is made to help prosperous works in Aden to reap additional profits.

I for one fail to understand why Bengal should thus be penalised. And I shall be failing in my duty towards the constituency which I represent if I do not raise my voice in protest against the iniquity of the proposal now before the Indian Legislative Assembly.

With these words, Sir, I support the proposal before the House.

The Hon'ble Mr. A. MARR: Sir, I think the members of this House will realise that the members of the Government of Bengal cannot take any part in this discussion on the action taken by the Government of India in this connection. All that I can promise to do, if this motion is passed by this House, is that we shall telegraph it at once to the Government of India and follow it up afterwards by sending copies of the speeches delivered here this afternoon. I think that should satisfy the House so far as action by the Government of Bengal is concerned.

The motion of Mr. P. N. Guha was then put and agreed to.

[At 4-40 p.m. the Council was adjourned for prayer and it reassembled at 4-50 p.m.]

DEMANDS FOR GRANTS.

The discussion under the head "25.—Jails and convict settlements" was then resumed.

Mr. R. H. HUTCHINGS: Last evening I was dealing with Munindra Deb Rai Mahasai's complaint that he had been prevented by the vagaries of the roster from performing his duties as a non-official visitor of the jail and I explained that rule 64 of the Jail Code specifically lays down that non-official visitors are entitled to visit the jail at any time irrespective of the particular date on which their names appear in the roster. If the Rai Mahasai was inconvenienced in the performance of his duties, I must express my sincere regret. I think that was due to a misunderstanding of the rules. I hope that in future no such difficulty will arise. We consider that the visitors should get every facility for visiting the jails, because Government set very great store by the reports they get from the visitors. We recognise that such sources of information are most desirable, and our rule is specifically designed to ensure that the visits which are paid by the non-official visitors shall be unexpected visits and not visits of which notice had been given beforehand.

I now pass on to Mr. Maiti's complaint about the treatment of political prisoners with special reference to the incident which occurred in the Midnapore Central Jail. I think it is probably not the intention of the member to press this point, because in view of the amnesty, to which effect has been given by the Government, the number of civil disobedience prisoners now in jail is exceedingly small.

As regards the general treatment which has been accorded to them, the House has the statement of Mr. Jitendralal Bannerjee that generally speaking their treatment is satisfactory so far as diet and other things are concerned. Further, I placed before the House some very striking statistics on a former occasion, which showed the high standard of health and weight maintained by our prisoners—not only those belonging to class I but also those belonging to class III, and other ordinary prisoners.

The incident in the Midnapore Jail is really a trivial thing. The prisoners refused to be locked up at night and the Superintendent in trying to restore order had to call together his reserve guard and lock them up, using the minimum necessary force. Nobody was seriously injured and next day there was quiet in the jail.

Sir, I do not propose to deal with the provision of mosquito curtains and one or two other points, which the Hon'ble Member will deal with,

Referring, however, to the question of accommodation, I think the House will realise that during the past year our accommodation has been taxed to its very highest limit. The registered accommodation in the Bengal jails at the commencement of the year was 13,600. In the month of May we had 12,700 prisoners which rose in August to 18,500 and in November to over 20,000. To get space for these we had to extend our accommodation and we succeeded in extending our accommodation to contain with ease the whole of the civil disobedience prisoners. This was done at a very high cost and although we may not be able to make full use of this extra accommodation for ordinary jail purposes in the current year owing to financial stringency, we hope that it may be possible to utilise some of this additional accommodation in order to carry out the many necessary projects which have been held up so long for lack of funds.

The Hon'ble Sir PROVASH CHUNDER MITTER: Sir, there is one important point about which the Council is very keen, and in regard to which I desire to place the fullest possible information before the Council. That point relates to the provision of mosquito curtains for the prisoners. I may tell the members of this House that at one time I myself thought that provision of mosquito curtains would be an effective method for dealing with the malaria problem and I started taking a good deal of personal interest in this question soon after I took over charge of this portfolio. In the Budget debate of 1929 I dealt with this question.

5 p.m.

We have provided mosquito curtains to prisoners in, I believe, one jail and we are considering their introduction to some of the other jails. In the meantime we have referred the question to Dr. Bentley, the Director of of Public Health, because it is a question as to what maximum benefit you can get for the health of the prisoners if you spend a certain sum of money. Mosquito curtains will no doubt lessen attacks of malaria, but mosquito curtains for 13,000 prisoners (this year we had over 18,000 prisoners on account of the civil disobedience movement) will be an expensive business, not only with regard to capital expenditure but also with regard to recurring expenditure and we have to find out, given a certain amount of money, what is the best way of getting the most effective results. This question is under the consideration of the Public Health Department, but apart from that we have mosquito curtains in one jail and we are considering the extension of the system although certain real difficulties have been pointed out by the jail authorities. Those difficulties we have to consider.

The point I desire to emphasise is that the Jail Department was not idle over the matter and my sole object in dealing with this matter fully is to convince all or at any rate convince all fair-mined members of this House that the matter did receive careful consideration at the hands of Government. My further object is to bring to the notice of the House the results of our investigations.

Sir, in the year 1930 at the time of the budget debate of that year I made the following speech on a motion moved by my friend Maulvi Tamizuddin Khan: "The experiment of supplying mosquito nets to all prisoners is in operation in Pabna and after examination it is intended to take up the experiment in three more jails. I may mention that under the present Jail Code all civil prisoners and prisoners suffering from malaria get mosquito nets in hospitals; undertrial prisoners also can have mosquito nets at their own cost." Perhaps some members of this House will remember that in answer to a question recently put I said that it was open to any friends of the prisoners to send mosquito nets and the Superintendents of Jails would allow them to use the nets. "The result of the experiment in the Pabna jail is rather interesting, and that experiment has proved somewhat inconclusive; and curiously the figure for malarial attack in the year after the introduction of mosquito nets has been somewhat larger than that of the preceding year when there were no mosquito nets. It struck me as rather strange; so we went into the matter very fully and we also consulted the Director of Public Health, Dr. Bentley. It appears that there are several factors in operation in this matter." Members of this House who are medical men, for instance, my friend Dr. Haridhan Dutt, will be able to appreciate the inference that can be drawn from these facts. "It appears that one of the most important factors is that at a particular moment the jail population may have come from a malaria-infected area and at another point of time less prisoners may have come from a malaria-infected area. There are other factors too which make the Pabna experiment inconclusive. By that I do not for a moment pretend to say that mosquito nets cannot necessarily have a beneficial effect on the prevention of malaria.

"Now as I have already said we consulted not only the jail authorities, the Superintendents of various jails, but we also consulted Dr. Bentley, the Director of Public Health. He also was of opinion—and I have his report before me—as to why the experiment in the Pabna Jail was inconclusive. Dr. Bentley among his other suggestions made a definite suggestion which in his opinion is likely to meet the object which the Government and members of this House have in view, namely, to deal with the malaria problem amongst the jail convicts. One of the suggestions he puts forward is this:" and I am quoting from his opinion " 'I understand it is proposed to carry out an experiment in

two jails, apparently in mosquito nets as has been done in Pabna. I would like to suggest the carrying out if possible of two or more anti-mosquito campaigns in an area including one-half mile radius from the jails selected.' " That was his opinion; it is said that we are likely to get much more better results and far more effective results at a cheaper rate if we carry on anti-mosquito campaigns in an area including one-half mile radius from the jails selected. I am still quoting from his report: " 'If it were possible to use jail labour the cost would be no more than supervision together with the sprayers and oil required. As regards oil I do not think that the cost would need to exceed about Re. 1 per acre, or roughly about Rs. 500. A sprayer costs about Rs. 90. In some places Paris green would be effective. Altogether I do not think that the work would need to cost more than about Rs. 1,000 at the most, and the great advantage would be that local population would benefit at the same time as the prisoners. Take the case of Dacca for example' "—I hope members of this House who come from Dacca will admit that Dacca is a particularly mosquito-ridden place. " 'At Dacca there is a lot of dengue or there used to be. This is also a mosquito borne disease but mosquito nets are not a safeguard because the stegomyia mosquito that carries dengue bites in the day time chiefly. On the other hand ordinary culex mosquitos that give most discomfort at Dacca are a trouble at night. I believe that systematic anti-culex work at Dacca would reduce culex mosquitos in the jail, if carried out for half a mile radius and the cost need not I think exceed that of mosquito nets.' " I may point out that the suggestions made by Dr. Bentley could not be investigated for reasons I shall presently state. But certain points arising out of his suggestions, for example, that jail labour should be used outside the jails require consideration in the Jail Department. Then I went on quoting facts and figures of what the total cost would be if all the jails were provided with mosquito nets. "Rough estimates have been prepared but detailed estimates have not been prepared as yet as they are intended more for the purpose of giving an idea than for anything else. The total cost would be over a lakh of rupees in capital expenditure and about half a lakh in recurring expenditure because the life of a mosquito net is only about two years. Those who are more familiar with this problem than I or any other lay members of this House may have other suggestions to put forward. With regard to prisoners who come from malaria-infected localities some kind of special treatment may be more effective than mere provision of mosquito nets. At any rate at a much lesser expense we may hope to get better results. But as the problem is a difficult one and different solutions have been suggested Government in the Jails Department decided to carry on the experiment, funds permitting, in three more jails and at the same time to investigate some of the other suggestions. It has been said that the real reason why further experiments have not

been made was the financial difficulties of Government. Financial difficulties no doubt are ever present in the Government of Bengal but I may tell the members of this House that when it is a question of health we certainly try not to be weighed down by financial difficulties and the fact that we have taken certain steps at Pabna shows that this is the position." I then pointed out some difficulty which the administrative department felt in the matter. "There are certain other points which I should like to place before the House. From the prisoners themselves there is not only no demand for mosquito nets—I am speaking of ordinary prisoners—but some dissatisfaction is expressed if such nets are provided. The ordinary prisoners are not provided with cots to sleep in," and this last mentioned point I would like the House to particularly bear in mind—"so the mosquito nets I am told by jail officers as also by some jail visitors, will fail in their object, because the mosquito nets cannot be properly tucked up, with the result that in many cases it means benefit more to the mosquitos rather than protection to the prisoners!" We all have experienced that when we are sleeping under a mosquito net if for some reason or other mosquitos enter into the net, the position is worse than that of a man sleeping without a mosquito net. Most of the prisoners have to sleep on a blanket on the floor and if we provide them with mosquito nets it is common sense that the nets cannot be properly tucked up and the prisoners will not be protected from mosquito-bites.

"Then certain administrative difficulties affecting discipline have also been pointed out. The members of this House may appreciate what these difficulties are likely to be. From what I have said I think those members who approach this question with an open mind will give Government credit that the matter has been receiving the careful consideration of Government and I may assure the House, if this assurance were needed, that it will continue to receive very careful consideration."

Sir, the above speech was delivered on the 22nd March, 1930, and after that we wanted to investigate these suggestions further but for reasons beyond our control we could not. The House will perhaps remember that in less than a month's time from that date there came the intensive campaign of the civil disobedience movement. This movement besides requiring expenditure of a very large amount of money also dislocated the jail administration. There was a sudden influx of 2,000 to 3,000 civil disobedience prisoners gradually rising to 5,000 who had to be provided with accommodation. In the beginning we had neither the staff to manage them nor the accommodation required for them; we had to provide them with clothing, bedding and other requirements. At very short notice and working at high pressure we provided additional accommodation and the requirements and also

assembled the additional staff. The high pressure, however, continued throughout the year and it was impossible to pay any attention to the suggestions of Dr. Bentley.

Further, not only we could not pay any attention to these suggestions during the current year but, I regret to say that, I cannot hold out any hope that we shall be able to do anything effective this year unless there be an unexpected improvement in financial and other matters. Next year as you all know the financial position of the Government of Bengal is very much worse off than of the current year; in fact from the budget presented by my friend the Hon'ble Mr. Marr we all know that we are financially about a crore and a half worse off. Well, Sir, to find a few thousands is very much more difficult for us next year than it was in March, 1930. In March, 1930, I was hopeful that, if necessary, I could find Rs. 10 to 20 thousand but next year I cannot hold out any hope that the promise of last year can be fulfilled next year.

5-15 p.m.

If through any unexpected change of circumstances we can find the funds necessary for carrying out the experiment we shall certainly do it particularly as anti-malarial work round the jail with a half mile area is not very expensive. But it can only be thought of not only if the civil disobedience is permanently called off, if the temporary truce is converted into a permanent peace, but also if the economic situation improves very considerably. Lest I am accused afterwards of not doing anything, I give this warning now. Subject to that warning, I promise to do my best. Our past conduct shows that we have not neglected this question. I am free to confess that when I took charge of my present office, the question struck me very much in the same way as it strikes some of the hon'ble members of the House to-day, namely, that provision of mosquito curtains would be effective in preventing outbreak in the jails. But when I had opportunities to go into the matter more fully, I came to a different conclusion. Colonel Hamilton, who was a very sympathetic Inspector-General of Prisons, pointed out the difficulties in the way of supplying mosquito curtains to prisoners. He more than once mentioned to me that it would be useless to supply mosquito nets, unless we could accept the policy of supplying cots for the prisoners. He also pointed out certain other administrative difficulties, one of which was that in some of these association wards, provision for mosquito nets for prisoners would retard ventilation, in some places it would require structural alterations in these wards and that would mean money and time, and that there were more useful and urgent schemes. I need not go into further details. My main object is to impress the fair-minded members of this House that we have not been neglectful in

this matter. If the House is satisfied with my explanation, I hope that it will leave the matter to Government. May I remind the House in this connection what the effect of a token cut will be? A token cut will prevent reappropriation; so, if during the year, we have some money for experiment either on the provision of mosquito nets or for anti-malarial work, your token cut will have exactly the opposite effect to what you would like us to do, that is, it will not be possible for us to reappropriate the money for those purposes. Another object of a token cut is to draw the attention of Government to certain grievances. I have shown that the attention of the Government has been well drawn to this question. There may be a third object of a token cut and that is to censure Government. There again I can appeal with confidence to all fair-minded members that they should not censure Government as the Government have been more anxious to deal with this problem than some of the members are. The real difference between them and the Government is that the Government had certain facts and materials before them which the non-official members had not. Now that I have taken them into my confidence and have placed all materials before them, I hope that they will be satisfied. If any of them wants further materials, I would ask them to see either me or Mr. Hutchings and they will be placed before him. Sir, this is all I have got to say about supplying mosquito nets to the prisoners and I trust the House will not hamper the possible efforts of the Jail Department by passing a token cut.

Then, Sir, there is the question of accommodation to which Mr. Maiti and some other members have referred. That also is a question of utmost importance and so I do not apologise to the House for taking a little more of their time in dealing with this matter. Further, I think I feel that the House should have more information on the subject. In paragraph 17 of the Report of the Jails Committee, it was pointed out that effective separation of the various classes of prisoners was important. In practically none of the jails visited by the members of the Jails Committee was there an effective separation of the habitual and non-habitual criminals or of the juveniles and adolescents from the adults, whether in the under-trial or the convict wards. They further pointed out that a larger number of cells was absolutely necessary. They further pointed out that most of the central jails which were intended for long-term prisoners were overcrowded. The main difficulties, they summed up, of the existing jails were this: Inefficient facilities for segregating the various classes of prisoners and an almost complete absence of facilities for segregating individual prisoners and overcrowding of prisoners. They suggested that Government should acquire some buildings for this purpose and they thought that the Dum Dum Factory building, the Dacca Mental Hospital building and the Berhampore Mental Hospital

building and some other places might be utilised for this purpose. They made a number of other suggestions which are embodied in another portion of report. But the time at my disposal is getting shorter and shorter and I will only tell the House what we have done in this direction. In the first place I would remind the House that a resolution was passed by Government on this report and that was before I took charge of this portfolio. In paragraphs 11 and 12 of the Government resolution this question was dealt with and the recommendations made by the committee on this point were more or less accepted in principle by the Government, but financial difficulties were pointed out. In order to relieve overcrowding the Government of Bengal have acquired what is known as the Army and Clothing Factory at Alipore. That was, however, not merely for the use of jails department but for some other departments too. Our intention is to locate there a new female jail and an under-trial ward of the Presidency Jail. But for want of money, we have not been able to take action in the matter. There is a technical difficulty too. The Army and Clothing Factory is not at present under the original jurisdiction of the Calcutta High Court. We have already converted the Presidency Jail into a B class jail, that is to say, a jail for habituals who are mostly long-term prisoners, and the only habituals who are now to be found in the Alipore Jail in normal times are prisoners who have to deal with Forms and Press. Then we have secured the Dacca Mental Hospital and have converted it into a jail. We have sanctioned schemes amounting to Rs. 1,65,000 and we have also various dining shed schemes estimated to cost Rs. 60,000. Here again the effect of a token cut will be that if we could save any money which we might utilise for these purposes, the token cut will prevent us from doing so.

I hope after my explanation those members who have moved their motions will withdraw them or at any rate not press them to a division. Even if they do so, I hope the other members will support Government.

Dr. NARESH CHANDRA SEN GUPTA: May I ask for an information? I understood yesterday that the Hon'ble Member or Mr. Hutchings would move an amendment for a cut of Rs. 5,00,000 to the original motion?

Mr. PRESIDENT: That will come later on. According to rules, we do not deal with original motion before certain items have been disposed of.

The following motion of Mr. R. Maiti was then put and lost:—

"That the demand of Rs. 10,54,000 under the head '25A.—Jails—Central Jails' be reduced by Rs. 100 (grievances of the prisoners,

particularly political prisoners, regarding diet, accommodation, insufficient oil for rubbing their body, no provision for mosquito curtains in these jails in the malarious districts and treatment by the authorities)."

The following motion of Kazi Emdadul Hoque was then put and lost:—

"That the demand of Rs. 3,95,000 under the head '25A.—Jails—Subsidiary jails' be reduced by Re. 1 (want of proper accommodation and fooding and clothing of the convicts and prisoners)."

The following motion of Munindra Deb Rai Mahasai was, by leave of the Council, withdrawn:—

"That the demand of Rs. 41,90,000 under the head '25.—Jails and Convict Settlements' be reduced by Rs. 100 (urgency of supplying mosquito curtains to all classes of prisoners specially in the malaria districts and supplying mustard oil to those who are accustomed to use it before their bath and also to draw attention to the limitations under which non-official visitors to jails have to work)."

The following motion was called but not moved:—

MUNINDRA DEB RAI MAHASAI: "That the demand of Rs. 1,68,900 under the head '25A.—Jails—Contingencies' be reduced by Rs. 68,900."

Maulvi TAMIZUDDIN KHAN: Sir, I want to move the next motion which stands in my name.

Dr. NARESH CHANDRA SEN GUPTA: On a point of order, Sir. Has not this motion been already disposed of?

The Hon'ble Sir PROVASH CHUNDER MITTER: The question raised in this motion was covered by the motions which have just been disposed of after my reply.

Mr. PRESIDENT: Yes, I do not know why this motion should be there. There is no doubt that the decision of the Council covers this motion.

Maulvi TAMIZUDDIN KHAN: I thought I should be allowed to have had an opportunity to move this motion of mine.

Mr. PRESIDENT: You had your opportunity to speak on the previous motion. Your motion is similar to the ones just disposed of.

Maulvi TAMIZUDDIN KHAN: Sir, the other motions covered a wider ground. So I thought my motion could be moved.

Mr. PRESIDENT: I am afraid I cannot allow you to do so, because the decision of the Council governs your motion as well. We shall now take up motion standing in the name of Munindra Deb Rai Mahasai.

The following motion was not put as it was covered by the foregoing decision of the Council:—

Maulvi TAMIZUDDIN KHAN: "That the demand of Rs. 1,68,900 under the head '25A.—Jails—Contingencies' be reduced by Rs. 1,000 (supply of mosquito curtains to all classes of prisoners)."

Mr. PRESIDENT: I think we can take up motions Nos. 437, 439, 440 and 448, together.

MUNINDRA DEB RAI MAHASAI: Sir, I beg to move that the demand of Rs. 36,06,500 under the head "25A.—Jails" be reduced by Rs. 10,00,000.

Sir, in spite of the assurances of the Hon'ble Member in charge of Jails that he was prepared to reduce the total budget figure by Rs. 5 lakhs in lump sum, I remain still unconvinced why the figure should not go back to the actuals of 1928-29. Sir, on a comparative study of figures under head "25A.—Jails," during the last three years, I find that the budget estimate of 1929-30 was Rs. 27,34,000, in 1930-31 it was Rs. 28,03,900 and in 1931-32 it has been raised to Rs. 36,06,500, *i.e*, about Rs. 10 lakhs in excess of the actuals of 1928-29 which was Rs. 26,64,978 and about Rs. 9 lakhs in excess of actuals of 1929-30 which was Rs. 27,27,352. Sir, in an atmosphere of peace and goodwill created by the Gandhi-Irwin agreement, there is little chance of the re-appearance of the civil disobedience movement in the near future and therefore I fail to understand why my most reasonable proposal to reduce the figure by ten lakhs should not be accepted by the House. It would be only going back to the actuals of 1928-29 when normal conditions prevailed. Over and above this, the price of commodities have considerably gone down in comparison with the prices prevailing in 1928-29 so that further reductions may be possible.

Sir, the Hon'ble Member in charge of Jails approached this House in August last with a supplementary demand of Rs. 10,43,500 to meet essential items of expenditure necessitated by the large influx of prisoners. As all the prisoners detained in connection with the civil disobedience movement have been released, I do not find any reason

why the whole of Rs. 10,43,500 should not be struck off from the coming year's budget. I think I have been able to convince the House that Rs. 10 lakhs is the proper amount which should be reduced in the budget estimates for 1931-32.

Sir, the Hon'ble Member has been pleased to inform the House yesterday that the new system of classification of ordinary convicts is likely to cause increase in expenditure. He has also anticipated the admission of 500 additional ordinary prisoners in the prisons during the coming year. Sir, I do not believe that Rs. 1,000 a year will be necessary to maintain each ordinary prisoner and in that case the total cost for their maintenance would have been Rs. 5 lakhs. The actual cost therefore would be much below that figure. Sir, the Hon'ble Member has been graciously pleased to make the reduction of a lump sum of Rs. 5 lakhs on condition that the motions for reductions of items of expenditure are not pressed by the movers.

The Hon'ble Sir PROVASH CHUNDER MITTER: On a point of personal explanation. Sir, I made no condition.

MUNINDRA DEB RAI MAHASAI: Sir, I would have been the last person to move for reduction of even a rupee had the Hon'ble Member come to the House with a scheme for the reformation of the prisons in Bengal to make prison life more and more reformative. With these words I commend my motion to the acceptance of the House.

The Hon'ble Sir PROVASH CHUNDER MITTER: May I again rise to a point of personal explanation? This is a motion for a cut of Rs. 10 lakhs. If he wanted to make any suggestion for the improvement of the Jail administration, he should have moved for a token cut.

The following motion was called but not moved:—

Babu KISHORI MOHAN CHAUDHURI: "That the demand of Rs. 36,06,500 under the head '25A.—Jails' be reduced by Rs. 8,00,000."

Dr. NARESH CHANDRA SEN GUPTA: I beg to move that the demand of Rs. 36,06,500 under the head "25A.—Jails" be reduced by Rs. 7,00,000.

Sir, I find myself in agreement with the Hon'ble Member in charge of Jails in this matter that after the stopping of the civil disobedience movement it is possible to make some retrenchment. The extent of economy on the face of it looks more like Rs. 7 lakhs than Rs. 10 lakhs as has been suggested by my friend Munindra Deb Rai Mahasai.

Mr. PRESIDENT: The Hon'ble Member said that he was prepared to effect a reduction of Rs. 5 lakhs from the grant as a whole, but you are pressing for a cut of Rs. 7 lakhs in respect of a definite item within that grant.

Dr. NARESH CHANDRA SEN GUPTA: My submission is that that particular head is the head from which this cut might be made.

The Hon'ble Sir PROVASH CHUNDER MITTER: Not necessarily.

Dr. NARESH CHANDRA SEN GUPTA: If you compare the figures of the budget estimate for 1930-31 and the demand for this year, you will see that the figure comes to a little over Rs. 7 lakhs. Therefore I say that it is possible to reduce the demand to the extent of Rs. 7 lakhs. I have made some attempt to look at the detailed budget, and of course it is not possible for me with my very limited information about details to work out the proper figures, but I find that the items in which there has been a phenomenal rise in the last year over the estimated figures————

Mr. PRESIDENT: I do not think you can discuss those items in connection with this motion.

Dr. NARESH CHANDRA SEN GUPTA: With regard to the details under this particular head, it leads also to the same result. My submission is that if the Hon'ble Member will agree to reduce the demand by Rs. 7 lakhs he will still have enough to carry on the work of the department, and if afterwards it is found that that amount is not sufficient, it is always open to him to come to this Council with a supplementary demand. If the Hon'ble Member would reduce Rs. 7 lakhs from the total demand I am quite willing to agree with him and I am sure the House will also agree.

Mr. P. BANERJI: I beg to move that the demand of Rs. 36,06,000 under the head "25.—Jails" be reduced by Rs. 1,46,000.

My motion is a very simple one because it is only an economic cut. It aims at a reduction of the salaries of officers at the rate of 25 per cent. and that of establishment at 10 per cent. I want to inquire if the Hon'ble Member-in-charge in agreeing to a reduction of Rs. 5 lakhs from the total demand has taken into account the question of reduction of the salaries of officers and establishment. If that is so I would not press this motion; otherwise I move for a reduction of Rs. 1,46,000.

The following motion was called but not moved:—

Mr. SYAMAPROSAD MOOKERJEE: "That the demand of Rs. 41,90,000 under the head '25.—Jails and Convict Settlements' be reduced by Rs. 7,00,000."

The Hon'ble Sir PROVASH CHUNDER MITTER: Sir, before I reply may I draw the attention of the House to the point which has been explained by you, *viz.*, under rule 91 (*4*) of the Bengal Legislative Council Rules no motions shall be made for the reduction of a grant as a whole until all motions for the omission or reduction of definite items within that grant have been discussed? Therefore under the rules the motion for a reduction of the total grant by Rs. 5 lakhs can only be moved after we have finished all these items. My friend Babu Kishori Mohan Chaudhuri has put the question, and it has been put to me several times, whether the proposal for a reduction of the total demand was made conditional to the withdrawal of all these cuts. I have explained more than once that I made no such condition.

May I point out with regard to Munindra Deb Rai Mahasai's motion that he has given no particulars to the House as to why there should be a cut for Rs. 10 lakhs. On the other hand, his point was that Rs. 5 lakhs was not enough. I have not, however, been able to find enough reasons for cutting over Rs. 5 lakhs. He wants to cut the whole of Rs. 10 lakhs for which a supplementary demand was made last year. I do not think I need deal with that more fully. I may say generally both with regard to Dr. Sen Gupta and Rai Mahasai's motions that after going very carefully through the Jail Department papers we thought we could not cut more than Rs. 5 lakhs. Dr. Sen Gupta himself said that he could not say why his cut should be Rs. 7 lakhs. If that be the position, then he should have some trust in those who deal with the matter. If we can really save more than Rs. 5 lakhs that will go to cover the huge deficit. Frankly speaking, I cannot deal with the matter more fully except in a general way, because we are not in a position to go into the details of the budget estimate. This budget estimate is not prepared in a day; it means that the details of expenditure in the different jails under different heads are submitted, they are carefully scrutinised in the department, and then after that they are scrutinised by the Finance Department. We cannot upset the whole thing in a day. It will at least take a couple of months if we have to scrutinise every item, but taking the heads broadly and going through the matter head by head we find that Rs. 5 lakhs is the utmost that we can cut. If we can save more it does not matter, because it goes to help us in meeting the deficit. I do not see why the members should not have that trust on us.

As regards Mr. P. Banerji's motion I can tell him at once that there is no proposal for the reduction of salaries of officers and establishment.

It cannot be done by one particular department of the provincial Government, and I must say that it is not fair on the part of the Council to call upon a particular department to cut 25 per cent. of the pay of its officers. I do not think I need dilate on that point any more, and I hope the Council will reject the motions.

After we have finished dealing with all these cuts Mr. Hutchings will move an amendment to reduce the whole demand by Rs. 5 lakhs.

The motion of Munindra Deb Rai Mahasai was then, by leave of the Council, withdrawn.

5-45 p.m.

The motion of Dr. Naresh Chandra Sen Gupta was, by leave of the Council, withdrawn.

The motion of Mr. P. Banerji was then put and lost.

Babu JITENDRALAL BANNERJEE: Sir, I beg to move that the demand of Rs. 36,06,500 under the head "25A.—Jails" be reduced by Rs. 101 (to raise a discussion about the conduct of jail administration generally).

Sir, my object is not to criticise the administration of the department, nor to criticise the administration of the Hon'ble Member. I want simply to make some suggestions to the Hon'ble Member for the better administration of the Jail Department. I know that this is almost a hopeless task for past experience shows that all our suggestions go entirely unheeded by the department. However, Sir, I am prepared to hope for the best and expect the worst. I shall begin by referring to the political prisoners in order to a get a thorny subject out of the way. Here I may tell the Hon'ble Member that half the trouble is caused by the fact that the authorities persistently refuse to recognise that there is such a class as political prisoners. I cannot understand the game of silly make-belief which they play in this connection.. Whenever political prisoners are mentioned, they assume an air of bland innocence and point to the Jail Code. They say, "We have A class prisoners and B class prisoners; 1st division prisoners, 2nd division prisoners and 3rd division prisoners; but political prisoners?—We know of none such! And this—although a whole department has been set apart for these and the charge of this department has been shifted on to the control of the Hon'ble Member's colleague, the Hon'ble Mr. W. D. R. Prentice. My point is that you should recognise that there is such a class as political prisoners—recognise in theory and law as you do recognise in practice. And after this has been done, you should provide entirely separate accommodation for them. To some extent this has been done by the erection of special jails. But I submit that what has been done is

not enough, and many of the political prisoners are confined even now in ordinary jails which is very undesirable from all points of view. Then again so far as division I prisoners are concerned, the rules lay down that they should be provided with cellular accommodation as far as possible. But this has never been done or even attempted to be done. In Dum Dum Special Jail, for instance, there is accommodation for more than 2,000 men, but not a single prisoner is provided with separate accommodation. Dozens, scores, even hundreds of them are huddled together in one vast chamber or hall—to the acute discomfort of persons who are acknowledged by Government as belonging to the higher classes of society. This grievance should be remedied forthwith; and the Government should further reconsider the present system of classifying political prisoners. I have had occasion to point out before that these prisoners did not want any classification for themselves. They would welcome its total abolition and the substitution of a single class for all of them. This will not necessarily mean an increase of cost. At present you sanction a diet-allowance of nine annas and six pies a day for divisions I and II, and three annas six pies for division III. Abolish this system and follow a middle course by fixing a rate of (say) six or seven annas per head. You will find that the total cost will not be much more than what it is to-day.

Leaving aside the political prisoners, let me pass on to the case of the ordinary convicts. So far as these persons are concerned, the present system of classification is working all right. But two changes must be made. There must be a sharper line of demarcation between division I and division II, and the classifying authority must be precisely fixed. At present who classifies these prisoners? Most probably the Magistrate. If that is so, the system is wholly wrong. Let the Magistrate make his recommendation, and let his recommendation be forwarded to the jail authorities, with the convict's history-sheet. But the final authority must be the Superintendent of the Jail.

As for other things, my first point is that a system of drill and school must be introduced in all the central and district jails of Bengal. There has been for some time past a system of drilling with regard to adolescent prisoners in the Alipore Central Jail. That system might be followed with advantage everywhere. The result has been admirable so far as the Alipore Central Jail is concerned.

As regards schooling, I must refer to the admirable work done by a gentleman who was very much misunderstood in his day and grossly and unjustly assailed in the Press—a man who did most useful work during the five years that he was in the Alipore Central Jail. So long as Major Dutt was Superintendent, there was a school for adolescent prisoners which served a very useful purpose. That school

disappeared with the disappearance of Major Dutt; and the revival of it is a matter to which the Hon'ble Member might direct his attention.

Then, apart from ordinary schooling you may arrange for a course of lantern lectures in all central and district jails. This should be provided for illiterate prisoners who cannot profit by the lessons given at the ordinary schools.

Apart from questioning training and education, there is another important suggestion—which the jail authorities have persistently turned down. One of the chief sources of discontent among jail inmates is that the authorities do not allow them certain things which may be technically considered as luxuries but which for all practical purposes are practically as good as necessaries of life. Take, for instance, tobacco; 90 per cent. of jail offences are due to the fact that the inmates are refused the use of tobacco. If you make an experiment by relaxing the rule a bit in this matter I am sure that, in future, it will act as an incentive to prisoners to be of good behaviour, and I am sure the experiment will be crowned with success. Mr. Hutchings was telling me the other day that an experiment like this has been unsuccessful in the Punjab. But, Sir, I submit that one province is not necessarily a safe guide for another to follow, and because an experiment was unsuccessful in the Punjab, that is no reason why it will be unsuccessful in Bengal. At any rate you can give it a trial.

Passing on from the question of discipline, I should like to turn to some ordinary amenities of jail life. Some of these are small matters, but they might result in a great improvement, in awakening a sense of self-respect amongst the prisoners and raising their standard of conduct and character. Take the case of *jangias*. So far as Muhammadans are concerned, these *jangias* go down to the knees; but so far as Hindu prisoners are concerned, they merely serve the purpose of a loin-cloth. The prisoners lose all sense of decency by being compelled to wear such dress; and once the sense of decency is lost the sense of self-respect is also lost. A very useful purpose will be served if you do away with the present system of clothing and introduce a better kind of dress.

As regards latrine accommodation, the present system is a nuisance, and the sooner you change it the better it is in the interest of the jail population at large. And in this connection I should like to draw attention to the paramount necessity of segregating non-habituals from habituals. The Hon'ble Member was saying, perhaps not quite correctly, that the Presidency Jail was now reserved for long-term prisoners. Presumably what he meant was the Presidency Jail was now reserved for habitual and "B" class prisoners. This is all to the good; but the thing must be carried still further and there must be complete separation between habitual and non-habitual prisoners.

Incidentally I may remark that the short-term simple-sentence prisoner is an anomaly; it is a relic of barbarous days and the sooner it goes the better for all. All prisoners, without distinction, should be made to work: only the degree and kind of work should be carefully determined by the Superintendent with reference to the circumstances of each individual prisoner. At present, by your pernicious system of short-term imprisonment, you do not now give a prisoner a fair opportunity of learning anything useful in the jail: you give him only the opportunity to mix with hardened criminals and become one himself. The result is a fearful amount of economic and moral waste.

These are some of the suggestions that I submit for the consideration of the Hon'ble Member. I hope he will not summarily brush them aside. They have at least one circumstance in their favour, even if I should say it myself; they come from one who speaks with inside experience and who, in matters of jail administration at least, does not wish simply to score a debating point or to pitch holes in the work of administration.

Maulvi SYED JALALUDDIN HASHEMY: Sir, I rise to support the motion of Professor Jitendralal Bannerjee. If a man goes to a jail as a visitor and goes there with his eyes open, he will find many things which will remind him of the 10th or the 12th century. I shall draw the attention of the Hon'ble Member to some of the evils and see if he can do anything to remedy them.

I shall first draw attention to the system of bathing parade. Members on this side or that do not perhaps know what bathing parade means. The convicts are allowed half a minute to bathe. They are allowed six seers of water in a vessel supplied by the jail authorities. I think Babu Jitendralal Bannerjee will agree with me, although sometimes he sympathises with the Hon'ble Member-in-charge, that the bathing system is really pernicious, vicious and immoral.

Next comes the latrine depot. That is more vicious, more barbarous and more cruel. Sixty or more prisoners, all naked, without any shed and any decency, are locked up for three minutes and then forced to leave the latrine even if they have not satisfied the call of nature. I would request the Hon'ble Member to see if he can effect a change in this practice.

Then there is the system of searches in the morning and evening. The convicts entering cells are made absolutely naked and are searched.

Another thing to which I would draw attention is the "gunny cloth" and I would request Mr. Hutchings to see if he can make a change.

6 p.m.

Supposing a convict loses his *gamcha*. My question is this: that although his *gamcha* is kept inside and is not visible from the outside, it is sometimes stolen by the warders and for this the warders are not punished, but the man who loses his *gamcha* is punished and is given a gunny cloth to use as a *gamcha*.

The next thing apart from the gunny cloth that I would mention is the system of cross bar fetters and standing handcuff. I would humbly appeal to the House to do away with it, Sir. I can stand up and say in the face of the whole earth that such a system does not exist in any jail administration in the world that I know of. For instance, such a system does not obtain in the jail administration in Japan.

Sir, under these cross bar fetters and bar fetters and standing handcuffs a man is made to remain in this position for three and sometimes for six months continually.

Another thing to which I would draw the attention of the House is the system of whipping. Sir, you do not know how a man is whipped. I have seen with my own eyes in the Alipore Central Jail many such instances. A man is tied to a wooden frame work, stripped completely naked and lashes fall on his back so mercilessly that you cannot imagine or conceive of such things. I have also seen a man being whipped every one and half inch of his body and beaten mercilessly and I would entreat the House to do away with this system.

Another thing to which I would draw the pointed attention of Mr. Hutchings is the blanket punishment. I challenge Mr. Hutchings to rise up in his seat and contradict my statement that there is no corporal punishment in the jails of Bengal. Mr. J. L. Bannerjee will also perhaps bear testimony to the existence of this punishment. In this case a man is tied hand and foot in a blanket and is beaten mercilessly————

(Here the member having reached his time-limit resumed his seat.)

The following motions were called but not moved:—

Maulvi ABDUS SAMAD: "That the demand of Rs. 36,06,500 under the head '25A.—Jails' be reduced by Rs. 100 (administration of jails, particularly with reference to complaints regarding the following:—

(*a*) treatment of under-trials,

(*b*) classification of prisoners,

(*c*) facilities for interviews and correspondence,

(*d*) accommodation for women prisoners and those of tender age,

(*e*) food supply,

(*f*) provision for the education of jail inmates,

(*g*) rough handling of prisoners, and

(*h*) insufficiency of clothing and beddings, etc.)."

Maulvi SYED JALALUDDIN HASHEMY: "That the demand of Rs. 36,06,500 under the head '25A.—Jails' be reduced by Rs. 100 (to condemn the policy of classification of political prisoners and to suggest measures to do away with the difficulty)."

Babu KHETTER MOHAN RAY: "That the demand of Rs. 36,06,500 under the head '25A.—Jails—Pay of Establishment' be reduced by Re. 1 (to draw attention to the absence of dining sheds or rooms for prisoners at the Comilla and other jails in the mufassal)."

MUNINDRA DEB RAI MAHASAI: "That the demand of Rs. 5,77,000 under the head '25B.—Jail Manufactures' be reduced by Rs. 10,000."

Mr. R. H. HUTCHINGS: I do not propose to reply in detail to all the points that have been raised, but I cannot refrain from expressing my satisfaction at, and admiration for, the speech which we heard from my friend Mr. J. L. Bannerjee. It is always a pleasure to listen to him and particularly a pleasure to hear him when he addresses us on the jail administration, because he speaks with knowledge and with a desire to give us something really constructive to work upon, and if I may say so, every word of his speech might have been uttered by myself except that he has done it very much better than I could do.

There is one thing that I should like to speak about as regards the authority for classification of prisoners in superior divisions. Government informed the House on a former occasion that it originally proposed that the Superintendent should be the classifying authority. We have very little reason from past experience to modify that decision, but in this matter we are not free to act on our own opinion; we have to follow the rules which have been laid down by the Government of India for all the provinces in India.

With regard to the introduction of primary education in our jails, I may inform the House that when I was Superintendent of the Alipore Central Jail, the school so ably continued under Major Som Dutt, I.M.S., was started as an experimental measure. We found it to be of great value in dealing with this class of prisoners; it improved their morale, it improved their discipline and it gave them something to interest

themselves in and in every way we found it a beneficial measure. On the basis of that experiment, we worked out a scheme to introduce similar schools in all the five central jails. That scheme has been worked out and has been submitted to the Finance Department by this department in two successive years for the allotment of funds, but unfortunately we have not been successful in obtaining them; so we have not been able to introduce that scheme. It is, however, one of the very first schemes on our list and I can assure the House that we shall continue to hammer away at the Finance Department until we are successful in getting money allotted to it.

As regards lantern lectures, I also recall that when I was the Superintendent of the Alipore Central Jail, I was able to arrange for a certain number of lantern lectures to be given voluntarily by gentlemen who were good enough to go there and do so, but it is very difficult to keep up a regular supply and if members of this House would do something to assist the Superintendents of Jails in that way, I am sure this department would be very grateful.

As regards Maulvi Jalaluddin Hashemy's speech, I have listened with very great care to the criticisms which he has made and although I suspect him of perhaps having a somewhat exaggerated view of some of the alleged evils, I can assure him that the Inspector-General of Prisons will give every attention to the points that he has raised in the course of his inspections. I could take up each of his points one by one and ask the House to believe that these are very rare occurrences. I need only say a word or two regarding the so-called blanket punishment. We conducted a very careful inquiry into the specific allegations made about that, but I regret or rather I am glad to say that we were not successful in getting any definite evidence at all. I do not say that this precludes any possibility of it having occurred, but all I can say is that I do not think that it occurs nowadays and we can obtain no specific evidence on the subject at all.

As I have to move a motion on my own behalf, I do not propose to take up the time of the House any longer.

Babu JITENDRALAL BANNERJEE: I beg leave to withdraw my motion.

The motion was then, by leave of the Council, withdrawn.

Mr. R. H. HUTCHINGS: I beg to move that the demand under the head "25.—Jails and Convict Settlements" be reduced by Rs. 5,00,000.

I need add nothing to what has already been said by the Hon'ble Member. Of course I must say that my motion is in no sense a criticism of, or meant as a disrespect to, the honourable and liberal gentleman whom I have the honour to serve.

The motion was put and agreed to.

The following motions were called but not moved:—

Maulvi SYED JALALUDDIN HASHEMY: "That the demand of Rs. 41,90,000 under the head '25.—Jails and Convict Settlements' be reduced by Rs. 100 (difficulties of the civil disobedience prisoners placed in division III.)"

MUNINDRA DEB RAI MAHASAI: "That the demand of Rs. 41,90,000 under the head '25.—Jails and Convict Settlements' be reduced by Rs. 100 (to raise a discussion on the brutalising effect of corporal punishment for breach of prison discipline and for the introduction of modern humanitarian methods in prison administration —the abolition of the *ghani* or the oil machine—prison labour, prison maintenance—wage labour for prisoners—prison administration generally, etc.)."

Rai Bahadur KESHAB CHANDRA BANERJI: "That the demand of Rs. 41,90,000 under the head '25.—Jails and Convict Settlements' be reduced by Re. 1 (unnecessarily large provision in view of the prospects of improvement in political situation)."

Maulvi HASSAN ALI and Babu SATYENDRA NATH ROY: "That the demand of Rs. 41,90,000 under the head '25.—Jails and Convict Settlements' be reduced by Re. 1 (to discuss the general policy of this department)."

The motion that a sum of Rs. 41,90,000, as amended by the Council, be granted for expenditure under the head "25.—Jails and Convict Settlements" was then put and agreed to.

[At 6-15 p.m., the Council was adjourned for prayer and it reassembled at 6-30 p.m.]

26.—Police.

The Hon'ble Mr. W. D. R. PRENTICE: Sir, on the recommendation of His Excellency the Governor, I beg to move that a sum of Rs. 1,99,88,000 be granted for expenditure under the head "26.—Police."

Sir, I know that it is a very large sum to ask for in the present state of the provincial finance. But I spent this morning going through the demand item by item to see whether it was possible to suggest a cut

like what has been done in the case of the Jails Budget. I came to the conclusion, however, that it was not possible. In a department like the Jails Department, it was fairly easy to say that, as the jail population had fallen, therefore, you could reduce the demand. But in the case of the Police grant, no such reduction can be made on arithmetical grounds. I can assure the House that every item was examined most carefully and cut down to a minimum before it was included. In fact, so far as the Police demand is concerned, if all the schemes that have been approved could be put forward, I think the Council would then realise how large the total demand would be and how many of the requirements of the Police Force of Bengal are not covered by the present demand. Even as it is, mufassal members complain about the poor housing of the mufassal police and they also complain in some of their motions for cuts that the police have not been able to deal with ordinary crime. There are various reasons for this last complaint, one being that the strength of the Police Force as sanctioned for the province in days gone by is not sufficient at the present day. The population has increased, but the Police Force could not be increased proportionately owing to want of funds. Well, as I have said, I have scanned the budget very carefully to see whether any cut could be made. But I found it was not possible. There are of course items for temporary forces which some members may be tempted to criticise. These temporary forces are not for the whole year. It is only for two and a half, three or four months that these temporary additions to the force are sanctioned. We watch very carefully the needs for these temporary additions and both the Inspector-General of Police and the Commissioner of Police, Calcutta, assist us in every way possible in order to cut down expenditure where and when it was possible. For we all recognise that in the present state of the provincial finance, it is desirable to reduce expenditure as far as possible consistent with public safety. After all, we have got to remember that for Calcutta and for the province at large the forces we maintain number only about 30,000 men some of whom live and serve under very different and very difficult conditions.

Sir, sometimes complaints are made that a very large sum of money is spent on the superior and gazetted officers. But to-day I went into the figures and I found out only a bare 7 per cent. of the demand is spent on the gazetted staff while over 60 per cent. is spent on the other ranks from inspectors downwards. With these few words, I move my motion.

The following motions were called but not moved:—

Mr. B. C. CHATTERJEE: "That the demand of Rs. 2,72,100 under the head '26A.—Presidency Police—Superintendence' be reduced by Rs. 101 (question of preventing assaults by Presidency Police)."

Maulvi SYED JALALUDDIN HASHEMY: "That the demand of Rs. 2,72,100 under the head '26A.—Presidency Police—Superintendence' be reduced by Rs. 100 (excess by the Calcutta Police during the civil disobedience movement)."

Maulvi SYED JALALUDDIN HASHEMY: Sir, I am prepared to withdraw my motion—I mean after a few observations, or rather a statement.

Mr. PRESIDENT: If you like to say anything, you can speak on your motion.

Maulvi SYED JALALUDDIN HASHEMY: I beg to move that the demand of Rs. 4,70,000 under the head "26A.—Presidency Police—Calcutta Police—Sergeants" be reduced by Rs. 100 (to criticise the sergeants of the Calcutta Police for their acts during the civil disobedience movement).

Only yesterday I decided not to move any of the motions that stand in my name in view of the Gandhi-Irwin agreement and because Mahatma Gandhi did not press for an inquiry into police excesses. As Mahatma Gandhi did not press for an inquiry into the police excesses at Peshawar and at Sholapur and other places, I thought it desirable that I should not press my motion. But the situation is going to be changed and so I desire to speak a few words about the pay of sergeants in comparison with the pay of inspectors and sub-inspectors. I would like to draw the attention of the Hon'ble Member-in-charge about the inequality in pay of these officers and in their dresses and other things. Sir, there is considerable dissatisfaction in the ranks of the sub-inspectors and inspectors of Calcutta Police on these grounds. I should like to suggest to the Hon'ble Member that on account of this dissatisfaction in the Presidency Police, a drastic change is necessary in this direction. Sir, inspectors and sub-inspectors are graduates of the University and if they are given the scope they can prosper, but that scope is not given to them. But the sergeants are not so educated and some of them are even illiterate and can hardly sign their names and they are given equal status with the graduates of our universities. Therefore I suggest that the status of our inspectors and sub-inspectors should be raised higher than that of sergeants in the Calcutta Police.

The Hon'ble Mr. W. D. R. PRENTICE: Sir, the question of the comparative status of officers in the Calcutta Police has been before the House previously. Apparently there is an idea that a difference in

their pay means a difference in their status. I think that the members of this Council have heard sufficient discussion on this general subject from another point of view. However, as regards the question of the pay of inspectors, sub-inspectors and sergeants, the Council will remember that it is not long since—I think about two or three years ago—that the whole question of the pay of various ranks of the Calcutta Police was taken up. Government at the time thought that the pay given to certain ranks of the Calcutta Police was not sufficient to attract desirable people to join up and in consideration of this and some other factors, the Council then decided to offer a certain rate of pay to sergeants. At the time—I think I am correct in saying this—Government declared that they were willing to consider other proposals to improve the status of various other officers when the financial position improved. But the financial position is rather worse to-day than it was then. We recognise the claims of other ranks of the Calcutta and the Bengal Police for improved conditions of service and there are a large number of schemes which have been framed for the improvement of their pay and prospects, but for want of money they have been and must continue to be held up.

As regards the prospects of the inspectors and sub-inspectors for promotion, the hon'ble mover, I am afraid, has misunderstood the position. Sergeants are not in competition with inspectors and sub-inspectors in this respect. Their duties are entirely different and their chain of promotion is also different. It is not a choice between taking a sub-inspector and a sergeant for a particular post. Sergeants are taken in for certain executive duties, while sub-inspectors are promoted to the ranks of inspectors, Assistant Commissioners, Deputy Commissioners and so on. The existence of the sergeants does not mar the prospects of inspectors or sub-inspectors. I hope after this explanation the hon'ble mover will withdraw his motion.

Maulvi SYED JALALUDDIN HASHEMY: I know I shall not be able to carry the House with me. Therefore I withdraw my motion.

The motion was then, by leave of the Council, withdrawn.

The following motions were called but not moved:—

Maulvi MUHAMMAD FAZLULLAH: "That the demand of Rs. 34,76,544 under the head '26A.—Presidency Police—Calcutta Police—Pay of Establishment' be reduced by Re. 1 (to criticise the policy of Government in recruiting non-Bengalees to the ranks of inspectors, sub-inspectors, sergeants, assistant sub-inspectors, head constables, constables, Indian Officers of the Armed Police, sepoys and temporary forces and other establishments in the Presidency Police Service)."

Maulvi MUHAMMAD FAZLULLAH: "That the demand of Rs. 1,93,000 under the head '26A.—Presidency Police—Calcutta Police—Supplies and Services—Clothing Charges' be reduced by Rs. 50,000."

Maulvi SYED MAJID BAKSH: "That the demand of Rs. 27,000 for secret service money under the head '26A.—Presidency Police—Calcutta Police' be refused."

Maulvi MUHAMMAD FAZLULLAH: "That the demand of Rs. 2,44,800 under the head '26A.—Presidency Police—Calcutta Police—Other Contingencies—Rents, rates and taxes' be reduced by Re. 1 (to protest against the system of house allowance paid to certain members of Calcutta Police)."

6-45 p.m.

MUNINDRA DEB RAI MAHASAI: I beg to move that the demand of Rs. 32,07,500 under the head "26A.—Presidency Police—Calcutta Police" be reduced by Rs. 5,00,000.

Sir, for over a quarter of a century, I had been consistently a moderate of moderates in my political views—a staunch advocate of law and order. But the happenings of the last few months, specially the wanton assault by the police on the University students and on the first citizen of this city—Sj. Subhas Chandra Bose, the Mayor of Calcutta—have stunned me. It seemed that we had been driven back to an age when brute force was the order of the day. The function of the police is the suppression of crime and not the oppression of the people, but irresponsible bureaucrats have turned it into an engine of oppression. I believe it to be the clear duty of the police not only to apprehend criminals but to safeguard and conserve human rights and liberties. The executive Government instead of keeping the police under rigid discipline in order to restrain them from overstepping the bounds of their legitimate powers and prerogatives, had let them loose on an unarmed people on the plea of law and order. If Sj. Subhas Chandra Bose or any group of people transgressed the law, the police might be justified in apprehending them and the courts were at liberty to punish them according to law, but there could not be any justification for the indiscriminate use of the *lathi* or the rifle. I condemn with all the emphasis that I can command, the improper use of the police power for autocratic and oligarchic ends with a view to violate fundamental human rights and liberties. The police atrocities in various parts of the country staggered humanity. Those servants of the Crown who were responsible for bringing about such a lamentable state of things were doing a positive dis-service to the Sovereign and proving themselves unworthy of the trust imposed on them. I think I am justified in bringing

home to the Government its responsibility in thus spreading disaffection at least among a section of His Majesty's most loyal and law-abiding subjects. The State can certainly demand from the people respect for its law and constitutions. The State on its part was also under similar obligations to respect them. Sir, may I ask, was the State justified in repudiating its obligations on the plea that the civil resisters had defied its laws and constitutions? It is unfortunate that the Government has become barren of sound statemanship. The short-sighted policy and tactlessness of the officials are responsible for giving incessant impetus to the civil disobedience movement. By its injudicious action it fanned the flame to set ablaze the whole country. The *lathi*, the rifle and police hooliganism were undoubtedly responsible for creating an abnormal situation unprecedented in the annals of the country. The civil disobedience movement could not have flourished within such a brief span of time had not the Government promulgated Ordinance after Ordinance and abdicated its rights in favour of the Police Raj.

Simultaneously with the declaration of the Prime Minister on the future constitution of India came the cowardly *lathi* blow on the head of the unarmed Mayor of Calcutta by the guardians of law and order. May I ask, can such indiscreet actions create an atmosphere of good-will so very necessary for the dispassionate consideration of the proposals formulated at the plenary session of the Round Table Conference? I pause for a reply.

Sir, the cowardly assaults by the police, specially by the white sergeants, on our young boys was simply shocking. They acted just like brutes in human form. I do not know why white sergeants should be engaged. I had been to several presidency towns where I did not meet with any white sergeants. In Madras and Colombo I found black people doing the work of sergeants. I do not know why these examples should not be followed in Calcutta. This would also be much cheaper.

With these few words, I beg to commend my motion to the House.

The following motions were called but not moved:—

Babu KISHORI MOHAN CHAUDHURI: "That the demand of Rs. 41,80,700 under the head '26A.—Presidency Police' be refused."

Mr. P. BANERJI: "That the demand of Rs. 41,80,700 under the head '26A.—Presidency Police' be reduced by Rs. 3,51,750."

Khan Bahadur Maulvi AZIZUL HAQUE: I beg to move that the demand of Rs. 41,80,700 under the head "26A.—Presidency Police" be reduced by Rs. 100 (to discuss the need of retrenchments in the Presidency Police expenditure).

Sir, some of us consider that the expenditure for the Presidency Police is going up enormously high. I think the House should be given an opportunity of discussing this matter in order to consider what should be the minimum strength of the Presidency Police force, and I think it would be reasonable for this House to consider the question from the point of view of the population of the town of Calcutta. I think that the time has also come for Government to consider whether the Calcutta Corporation should not pay a substantial sum for the police administration in Calcutta. I think one of the reasons why the police expenditure is going to be high is due to the activities on the part of the people of Calcutta. Therefore the provincial revenues should not bear the whole of the police expenditure in Calcutta. After all, I do not think it would be too much for the municipality to contribute a certain portion of the police expenditure.

As regards the question of rural police, the Bengal villagers contribute Rs. 60 lakhs towards the maintenance of village chaukidars who are controlled by two bodies, *viz.*, the president of the union board and the police. Anyway, Sir, I think a very reasonable case can be made out by which the citizens of Calcutta can be asked to contribute a certain amount of the police expenditure thereby relieving the provincial finance to a great extent. I will conclude by saying that I do not see why Munindra Deb Rai Mahasai wants a reduction of Rs. 5 lakhs because all his arguments show that his was a censure motion, and so he would have been well advised if he had brought in a motion for a token cut. I think the time has come when we should consider what should be the minimum strength of the Calcutta Police. With these words, I move my motion for the acceptance of the House.

Mr. S. M. BOSE: Sir, as regards motion No. 464, I would ask my friend Munindra Deb Rai Mahasai to withdraw it. We have already heard a very fine speech from the Hon'ble the Member-in-charge and we should let the dead past bury its dead, and let bygones be bygones. When Government is really trying to give effect to the Delhi pact, I do not think any useful purpose would at all be served by raking up the old feud. I would, therefore, ask my friend to withdraw his motion.

The motion of Munindra Deb Rai Mahasai was then, by leave of the Council, withdrawn.

The Hon'ble Mr. W. D. R. PRENTICE: I am obliged to Mr. S. M. Bose for his speech and to Munindra Deb Rai Mahasai for the action he has taken in withdrawing his motion. As regards the motion of Khan Bahadur Maulvi Azizul Haque, I think Maulvi Abul Kasem brought in a similar resolution some time ago, but the Council definitely turned down this proposal. About the strength of the police

in Calcutta, if the Khan Bahadur will study the figures given in the budget, he will find that there is no increase, save for one or two minor additions in departments like the Public Vehicles Department. Indeed I submit that the strength of the police in Calcutta is insufficient for a serious emergency. This has already been recognised by the Council, when it sanctioned in August last a demand for expenditure on borrowing Assam Rifles for maintaining peace in Calcutta. With regard to the streugth of the police of Calcutta, I can hold out no hope that if any committee were to examine the question raised by the Khan Bahadur, they would recommend any cut. On the contrary, I think they would recommend an increase.

The motion of Khan Bahadur Maulvi Azizul Haque was then, by leave of the Council, withdrawn.

Mr. S. M. BOSE: I beg to move that the demand of Rs. 32,07,500 under the head "26A.—Presidency Police—Calcutta Police" be reduced by Rs. 100 (advisability of encouraging the use of indigenous goods, specially those made in Bengal, by the Calcutta Police).

Adjournment.

The Council was then adjourned till 3 p.m., on Wednesday, the 25th March, 1931, at the Council House, Calcutta.

Proceedings of the Bengal Legislative Council assembled under the provisions of the Government of India Act.

THE COUNCIL met in the Council Chamber in the Council House, Calcutta, on Wednesday, the 25th March, 1931, at 3 p.m.

Present:

Mr. President (the Hon'ble Raja Sir MANMATHA NATH RAY CHAUDHURI, KT., of Santosh) in the Chair, the four Hon'ble Members of the Executive Council, the three Hon'ble Ministers and 106 nominated and elected members.

Starred Questions
(to which oral answers were given).

Grant to schools for the depressed classes under the management of the Hindu Relief Society.

*158. **Babu KHETTER MOHAN ROY:** (*a*) Is the Hon'ble Minister in charge of the Education Department aware that the Hindu Relief Society has been conducting fifteen free primary schools in Calcutta for the education of the boys of the depressed classes in the *bustee* areas of the city for the last four years?

(*b*) Is it a fact that the Secretary to the said Society made applications to the Government for grants to the school?

(*c*) Is it a fact that the schools were visited on several occasions by inspecting officers who were satisfied with the management of the schools?

(*d*) Is it a fact that the Secretary to the Government, Education Department, promised last year to provide for the necessary grant to the school in the budget of the next year?

MINISTER in charge of EDUCATION DEPARTMENT (the Hon'ble Mr. Khwaja Nazimuddin): (*a*) to (*d*) The attention of the member is drawn to the reply given on the 16th instant to the unstarred question No. 89 put by Seth Hunuman Prosad Poddar on the subject.

Taking possession of the house of Babu Upendra Nath Maiti, Midnapore.

*158. **Mr. R. MAITI:** (*a*) Will the Hon'ble Member in charge of the Political Department be pleased to state whether it is a fact that the residential house of Babu Upendra Nath Maiti in the town of Midnapore, President of the Midnapore Bar Association, where he was living with his family including females and children, was taken possession of on the morning of the 28th January last together with the movable property found therein?

(*b*) Is it a fact that the possession was taken even before the extraordinary issue of the *Calcutta Gazette*, dated the 27th January, 1931, containing the notification regarding the house, reached Midnapore?

(*c*) Is it a fact that he had to vacate his house at once?

(*d*) Is it a fact that the motor-garage of Upendra Babu, which is a *pucca* building quite detached from his residential house and which was not specified in the schedule of the notification, was also taken possession of along with the motor-car found therein?

(*e*) Is it a fact that it was pointed out to the officer by Upendra Babu?

(*f*) If the answer to (*d*) is in the affirmative, will the Hon'ble Member be pleased to state under what authority the garage and the motor were taken possession of?

(*g*) Is it a fact that several almirahs containing the law books of Babu Upendra Nath Maiti which are not attachable under section 60, Civil Procedure Code, were also taken possession of by the authorities?

MEMBER in charge of POLITICAL DEPARTMENT (the Hon'ble Mr. W. D. R. Prentice): (*a*) Yes.

(*b*) No.

(*c*) He did vacate the house at once, but he was given the option of either leaving the whole house, or of retaining sufficient accommodation for himself and his family. This offer he rejected.

(*d*) Yes.

(*e*) Yes.

(*f*) The garage was within the boundaries of the "place" notified under Ordinance IX.

(*g*) The almirahs containing the books were attached but Babu Upendra Nath Maiti was allowed to take away such law books, briefs, etc., as were connected with the immediate needs of his practice. All law books were returned on 31st January, 1931.

Babu SATISH CHANDRA RAY CHOWDHURY: Will the Hon'ble Member be pleased to state whether the order under which possession was taken was dated 27th January?

The Hon'ble Mr. W. D. R. PRENTICE: 26th January.

Babu SATISH CHANDRA RAY CHOWDHURY: Will the Hon'ble Member be pleased to state whether it is in consonance with the rules under the Ordinance to pass an order before it was published in the *Gazette*?

The Hon'ble Mr. W. D. R. PRENTICE: Action was taken on the 28th and the *Gazette* notification was dated 26th.

Babu SATISH CHANDRA RAY CHOWDHURY: If the order was dated, according to the Hon'ble Member, the 26th January and the *Gazette* notification, dated the 27th January, was it conforming to the rules to carry out the order before the date of publication?

The Hon'ble Mr. W. D. R. PRENTICE: I said the *Gazette* notification under which action notifying the place was published and under which action was taken, that *Gazette* notification was dated 26th January.

Babu JITENDRALAL BANNERJEE: Was not the copy of the *Calcutta Gazette* received in time?

The Hon'ble Mr. W. D. R. PRENTICE: I am informed that it was.

Mr. R. MAITI: Will the Hon'ble Member be pleased to state whether it was published on the 26th January?

The Hon'ble Mr. W. D. R. PRENTICE: The order was published in the *Gazette*, dated the 27th. The notification is dated the 26th. A copy of the *Gazette* was sent down to Midnapore at once. On receipt action was taken.

Babu SATISH CHANDRA RAY CHOWDHURY: When was the *Gazette*, dated 27th January, actually printed in Calcutta?

The Hon'ble Mr. W. D. R. PRENTICE: On the 27th January.

Babu SATISH CHANDRA RAY CHOWDHURY: Then I take it that the *Gazette*, dated 27th January, reached Midnapore the following day.

The Hon'ble Mr. W. D. R. PRENTICE: The *Gazette* which was printed in Calcutta on the 27th January reached Midnapore the following day.

Haji Muhammad Mohsin's Trust Fund.

*180. **Khan Sahib Maulvi BAZLUL HUQ:** Will the Hon'ble Minister in charge of the Education Department be pleased to lay on the table a statement showing for the years 1929 and 1930—

(*i*) the total net income of Haji Muhammad Mohsin's Trust Fund;

(*ii*) the names of different heads of expenditure incurred in those years, and the amounts under each head every year;

(*iii*) the name of the officer who was in charge of the management of the Trust Fund;

(*iv*) the number of members of the staff maintained; and

(*v*) how many of them are Moslems?

The Hon'ble Mr. KHWAJA NAZIMUDDIN: (*i*) and (*ii*) A statement is laid on the table.

(*iii*) 3 (*b*), 3 (*c*) and 4 of the statement are managed by Government who employ as their local agent the Collector of Hooghly.

(*iv*) The staff of the local agent consists of one part-time clerk and one menial.

(*v*) Neither of the above at present are Moslems.

Statement referred to in the reply to clauses (i) and (ii) of starred question No. 160, showing for the years 1928-29 and 1929-30 (i) the total net income of Haji Muhammad Mohsin Trust Fund, and (ii) the names of different heads of expenditure incurred in those years and the amounts under each head every year.

RECEIPTS.		1928-29	1929-30
		Rs.	Rs.
1. Remittance from Syedpur Estate	...	65,000	55,000
2. Interest on fixed endowment	...	36,903	36,903
3. Interest on variable securities	...	642	642
4. Miscellaneous	...	871	474
		1,03,416	93,019

EXPENDITURE.			
1. 1/9th share—Mutwalli ...	...	6,667	6,667
2. 3/9ths share—Imambara Committee	...	19,978	20,000
3. 3/9ths share—			
(a) Imambara Establishment	...	9,669	9,669
(b) Local Agent's Establishment	...	654	666
(c) Medical ...	...	13,737	13,838
4. Education share ...	...	50,724	52,108

Short Notice Question.

Students in civil disobedience movement.

***169A. Mr. SYAMAPROSAD MOOKERJEE:** Will the Hon'ble Minister in charge of the Education Department be pleased to state what steps he has taken in order to withdraw the circular issued under the authority of the Education Department restricting the right of students who had taken part in the civil disobedience movement to continue their studies in high schools?

The Hon'ble Mr. KHWAJA NAZIMUDDIN: Circular Nos. 2476—2499G./8T-33G.-30, dated 23rd/24th March, 1931, issued by the Director of Public Instruction, has been modified and a copy of the revised circular has been placed on the Library table.

Mr. SYAMAPROSAD MOOKERJEE: Will the Hon'ble Minister be pleased to state what is the effect of the circular?

The Hon'ble Mr. KHWAJA NAZIMUDDIN: I believe the object of the member will be attained by this modified circular.

Mr. SYAMAPRDSAD MOOKERJEE: Will the Hon'ble Minister be pleased to state if there is any restriction put on schools regarding the admission of these students?

The Hon'ble Mr. KHWAJA NAZIMUDDIN: I would refer the member again to the circular placed on the Library table.

Mr. NARENDRA KUMAR BASU: Is the Hon'ble Minister aware of the contents of the circular placed on the Library table?

Mr. PRESIDENT: I do not allow that question.

Babu JITENDRALAL BANNERJEE: Is the member not right in asking what the contents of the circular are and asking for further information?

The Hon'ble Mr. KHWAJA NAZIMUDDIN: I do not think it will be too much trouble for the member to read the circular to which I have referred?

Babu JITENDRALAL BANNERJEE: Is that an answer to my question?

Babu SATISH CHANDRA RAY CHOWDHURY: Is it a fact that these students who were up till now in jail are not allowed to attend school unless they execute a bond?

The Hon'ble Mr. KHWAJA NAZIMUDDIN: I would refer the hon'ble member to the circular.

Babu JITENDRALAL BANNERJEE: Has the attention of the Hon'ble Minister been drawn to the withdrawal of the Ordinance?

Unstarred Question

(answer to which was laid on the table).

Government grant to the depressed classes schools.

100. Babu SATISH CHANDRA RAY CHOWDHURY: (*a*) Will the Hon'ble Minister in charge of the Education Department be pleased to lay on the table copies of correspondence that have passed between the Secretary, Hindu Relief Society, and the Education Department, Government of Bengal, regarding Government grant to the depressed classes schools under the management of the Society?

(*b*) Is it a fact that the Society is conducting fifteen free primary schools in Calcutta for the benefit of the boys of the depressed classes in the *bustee* areas of the city for the last four years?

(*c*) Is it a fact that the Society has been in correspondence with the Government for the last three years for grants to the schools?

(*d*) Is it a fact that the Government inspectors of schools have visited the schools several times and have expressed themselves as being thoroughly satisfied with the management of the schools?

(*e*) Is it a fact that the conditions precedent to the sanctioning of the grant as proposed by the Education Department were accepted by the Secretary last year?

(*f*) Is it a fact that the Secretary, Education Department, promised last year to provide for the necessary grant in the budget of this year?

The Hon'ble Mr. KHWAJA NAZIMUDDIN: (*a*) to (*f*) The attention of the member is drawn to the reply given on the 16th instant to the unstarred question No. 89 put by Seth Hunuman Prosad Poddar on the subject.

Motion for an adjournment of the business of the Council.

Maulvi SYED JALALUDDIN HASHEMY: I beg leave to move a motion of adjournment of the business of the Council to discuss a definite matter of urgent public importance, *viz.*, the serious situation that has arisen in the country with regard to Gandhi-Irwin agreement by the execution of Bhagat Sing, Rajguru and Sukdeb.

Mr. PRESIDENT: Maulvi Syed Jalaluddin Hashemy has given notice of a motion for an adjournment of the House for the discussion of a matter of predominant importance. I have given my consent to this motion being moved, and I would like to know whether any member objects. The motion is as follows:—

"That the business of the Council be adjourned to discuss a definite matter of urgent public importance, *viz.*, the serious situation that has arisen in the country with regard to Gandhi-Irwin agreement by the execution of Bhagat Sing, Rajguru and Sukdeb.

Maulvi ABUL KASEM: On a point of order, Sir. Unfortunately the gentlemen mentioned in this notice of motion have already been executed. What is the eminent importance for which an adjournment has been asked?

Mr. PRESIDENT: That is not a point of order. You are not in a position to put it. (Pause.)

I fix 5 o'clock this afternoon for the discussion of this matter.

DEMANDS FOR GRANTS.

The discussion under the head "26.—Police" was then resumed.

Mr. S. M. BOSE: Sir, the object of the motion which I moved yesterday is to get information from the Home Member and to make a suggestion.

I want to know from the Home Member what the Government are doing to help the indigenous goods specially those made in Bengal.

Sir, I am deeply interested in the Swadeshi movement. Ever since the partition agitation, Bengal has been in the forefront in the demand for the spread of India-made goods. We do not advocate it as a political weapon. It is entirely different from the boycott movement which is a mere negation. We base our demand for the use of Swadeshi goods on our love for the people of India and the goods they produce. This policy of Swadeshi has been accepted by the Government of India. I need only mention the latest instance of this acceptance. In the famous Irwin-Gandhi Pact, as embodied in the Government of India notification of the 5th March last, we find this stated in clause (5): "The position of the Government is as follows: They approve of the encouragement of Indian industries as a part of the economic and industrial movement designed to improve the material condition of India."

That is exactly our position. We earnestly desire to improve the material condition of the people of India. A great responsibility rests on the Government. It is their interest as well as their duty to see that the indigenous production of goods is encouraged. This will inevitably tend to improve the people's wealth and thus their health. If people earn enough they will be contented and happy. There can be no doubt that the spread of the Swadeshi movement will improve the people materially and will thus help Government.

The Government is a large purchaser of goods—specially the Police. I would ask the Home Member to tell us the amount and the kind of indigenous goods that the Police buy. I would also ask him to enlighten the House as to the policy of the Government of Bengal on this subject.

Further, I suggest that *ceteris paribus*, preference be given to goods made in Bengal. I have heard that boots and shoes made in Bengal of the requisite standard and approved by the Industries Department have not been accepted by the Calcutta Police but that the order has gone to Cawnpore. I believe there are Government circulars advising placing of orders in Bengal. We shall be obliged by an authoritative statement on this point.

I suggest that the Government should make further efforts to carry out the principle in clause (5) of the Delhi Pact I have quoted above.

Mr. R. N. REID: As regards the remarks of Mr. Bose the position is that boots for the Calcutta Police are purchased from contractors in Calcutta. There are two large contractors and boots are purchased, in the majority of cases, through them. We are now making an experiment of buying about 1,000 pairs, ordered through the contractor, in Calcutta and I presume if this is found satisfactory a further large order will be placed. As I said before the purchase of equipment and clothing for the Calcutta Police is made through contractors in Calcutta. As regards the Provincial Police I think this is mainly purchased from the jails, and purchases of other small articles are made locally. I can assure the hon'ble member that Government is entirely in sympathy with the idea that the equipment of the police—Calcutta and Bengal—should be purchased as far as possible in Bengal.

The motion of Mr. S. M. Bose was then, by leave of the Council, withdrawn.

Revd. B. A. NAG: I beg to move that the demand of Rs. 32,07,500 under the head "26A.—Presidency Police—Calcutta Police" be reduced by Re. 1 (inactivity of Calcutta Police regarding their ordinary civil duties).

I do so in order to draw attention to the serious neglect of the police of their ordinary civic duties and also to appeal to the Hon'ble Member if he will kindly deliver us from such unnecessary annoyances. It will be no news to the members, specially those who are acquainted with the northern part of the city, if I say that Calcutta to-day is dirtier and filthier than it was 20 years ago. In the days gone by it was never noticed that a man eased himself in a public street and if anybody ever dared do such a thing in the public streets he was prosecuted and punished, but to-day, I must say, that in every street in Calcutta, particularly in the northern part, we find people easing themselves freely even in the presence of the policemen.

Mr. SYAMAPROSAD MOOKERJEE: Is the Hon'ble Member entitled to prosecute these persons?

Revd. B. A. NAG: It is not a question only of sanitation and health; it is also a question of decency. We have to go about with our wives, daughters, sisters and then also there are women and children belonging to other nations amongst whom such things are almost unknown, coming to see us and they all see such things and we have to hang our heads in shame, and I say that it is the neglect of the Calcutta Police which causes this annoyance to us.

Next, if you visit the northern part of Calcutta you will find many people have either rented a house in a healthy part of the city or are building or about to build hoping that they would be comfortable in their homes, but lo, within a week they find lepers are living in the footpath and they are compelled to live with their wives and children in a leper *bustee*. (Shame, shame.) These people not only live but make the footpaths their kitchen during the daytime, their beds at night and also make these footpaths their lavatories. This is a matter, and also the matter of the beggars, about which I have spoken to the police but their one answer is an answer of helplessness. They say that the people of Calcutta are so charitable that the beggars and lepers come in from the districts. I am, however, inclined to believe that if the lepers and beggars have come to live on the footpath it is because the police have been neglectful of their duties. If they were a little more careful I do not think such things would have happened.

Another matter to which I would like to draw attention is the overcrowding of the buses and tramcars, not so much the tramcars as the buses. There are not very many fortunate people who own motor cars; probably most of the members here do, but some do not. You enter into a motor bus and pay your fare believing that you will travel not only quickly but in some sort of comfort, but what happens. Soon there is a crowd and you are crowded to suffocation. You can only get down and walk the distance, but one cannot help feeling that this

state of affairs is taking place because the police is not watchful. I was talking to a friend of mine who said such things do happen in other countries. I have no such knowledge. My contention is that it is no argument because such things happen in London and elsewhere they must necessarily be right. That is a logic to which I cannot subscribe. But yet whatever that may be, London is a cold place, so is Paris and other parts of Europe. I would like to know whether there are other hot places like Calcutta where these buses and tram cars are overcrowded and add to the discomfort of the passengers. I was told the name of one outlandish place where the people have probably submitted to the tyranny of the proprietors of buses and tram cars because of this logic that this is done in other places so it must be done here. I hope the police of Calcutta would deliver us from such discomforts. You may say that increased activity on the part of police may mean increased fare or increased expenditure for bus and tramway companies. But I say that if the proprietors do make a little less money and thus add to the comfort of the passengers it ought to be done and if it is not done I think that adequate steps should be taken to have it done. May I ask why the police of Calcutta go through the farce of saying "to seat 36," or "to seat 24." I consider this police regulation a mere farce because it is not strictly observed. I hope the Hon'ble Member will kindly see that we are delivered from this discomfort.

I may now refer to something which is much more serious. Sir, Calcutta is being placed under a grave menace to the morals of the young men of the city. There are certain streets in Calcutta such as Bow Bazar which have been declared by the Government on the recommendation of the Calcutta Corporation as main thoroughfares and I am sure that the members of this Council know that on a main thoroughfare public women cannot live.

3-30 p.m.

For your information I will read a little extract from the printed proceedings of a committee. Mr. Hunt who, I believe, is the Deputy Commissioner of Police, was asked if it was a fact that the prostitutes were found to be living in a main thoroughfare. His answer was—yes, it was a fact but that they could not take any action except on complaint. Being asked as to what were their difficulties, he answered that even after a street is declared a main thoroughfare it required constant watching by the police and that the staff was inadequate. I will not tire the Council by reading any more proceedings of the committee. I would, however, refer to one more fact. There is no trouble, Mr. Hunt said, once the house is declared to be a brothel. But the trouble arises when another house is occupied. That is what the committee was told. The police reason is evidently this: A street

may be declared as a main thoroughfare and cleared of all prostitutes but by some subterfuge of law the police reason in this way—that when a street was declared a main thoroughfare it was on account of certain houses which were occupied by public women, but later if other houses in that street are occupied by bad women the police are helpless. I do not understand that law nor have I ever tried to understand the subterfuge of law. Perhaps some of our lawyer friends will help me in this matter. But my honest conviction is that if a street is declared a main thoroughfare it is for the law to demand that the street should be kept free from prostitutes. But if there is any legal difficulty about this matter it is high time that Government should amend the law—as this has been going on for the last 15 or 20 years—so that once a street has been declared a main thoroughfare the police should see that that street is not occupied by bad women any more. Not only that: I hold in my hands a file from which it is evident that the police do not want to do anything in the matter. There is a street in Bhowanipore which is well-known to the respectable citizens of Calcutta—I mean Poddopukur Road. I do not know whether it is known that that road is being invaded by these public women. In 1929 an application was made through the Calcutta Corporation to the Commissioner of Police to attend to this matter. The applicants were told that the police had no time just then. Then on a certain date in 1929 the Deputy Commissioner held an inquiry. The file does not show whether he issued any notice to those who complained to be present. But it is mentioned in the file that the public women were represented by a pleader whereas nobody appeared to complain and therefore the inquiry was postponed *sine die*. The Corporation began their correspondence again and in 1930, the matter was inquired into in April but the result was not made known. The Corporation continued to write to Mr. Hunt for his decision. Mr. Hunt said that he was too busy over the civil disobedience movement and had not completed the inquiry. Then he was written to again and I may read his reply to the House: "With reference to your letter, dated the 26th January, 1931, regarding the brothels at Nos. 1 and 2, Podopukur Road, and 9, Mohinimohan Road, I have the honour to inform you that I do not propose to take any action in the matter at present." That is how the public is treated when such things are brought to the notice of the police. I consider that to be a very serious matter indeed.

I have yet another matter which is much more serious in my opinion, and that is this: Solicitation is going on in the respectable parts of the city of Calcutta unchecked by the police. It is very difficult to provide evidences of solicitation. I am however referring to the engagement of boys and hackney carriages to act as agents of these public women. Even in these cases it is very difficult to have definite evidence. But the standing question remains: Why is it that

the police allow in the evening a line of hackney carriages from Dhurrumtolla junction of Chowringhee up to the Museum?—although that is not the stand for hackney carriages? These hackney carriages are there with their tops up. Why? Supposing there is no other evidence except this, I may even then ask why do the police allow them to be where they should not be. Now that I have placed all these facts before the House, I hope I shall have the sympathy of the Hon'ble Home Member who I also hope will give me an assurance that things will not remain where they are and that we should be delivered from all these nuisances. When I have heard from him I shall be satisfied for my motion is merely a motion of appeal to him.

Mr. NARENDRA KUMAR BASU: Sir, with respect to the appeal of Revd. Nag I am in strong sympathy and I can assure him that he has the sympathy of all members of the House and also of the members of the public outside in his unfortunate personal experiences. Sir, I am, however, going to draw the attention of the House to another aspect of the question. Sir, Mr. Nag proposes his cut in order to draw attention to the inactivity of the Calcutta Police regarding their ordinary civil duties. I take it that one of the ordinary civil duties of the police is to try and prevent the commission of a crime and to try and arrest the criminal if possible. (A VOICE: To maintain law and order only.) Yes, to maintain law and order as I am reminded. But, Sir, law and order I submit is not maintained merely by chasing civil disobedience persons with *lathies*. There is such a thing as trying to prevent crimes being committed. As Mr. Nag has already given the House some of his personal experiences, I hope I shall be allowed to give one of my personal experiences to the House, and it is this: Only day before yesterday my house was burgled into and a lot of things were stolen. Early next morning at about 6 o'clock I sent a chit to the local police officer. Absolutely no notice was taken of that. About a quarter to 11 when I was going to the court, I drove myself to the police-station at Bhowanipore where I found a big burly Sikh gentleman sitting in his chair and I asked my man to request him to come and see me outside. He came near my car and I asked him "Did you get my letter?" He answered "Yes, but you see, Sir, there is *hartal* to-day and there is absolutely no time for us to look into these things." He had no time to look into crimes committed within his charge. That is the sort of thing for which we are to pay two crores of rupees a year. You have your house burgled and no inquiry is made because forsooth *hartal* is going on in the city!!! I do not know whether the police had got up a *hartal* of their own and so avoid making the inquiries into crimes. I asked him "Are you going to inquire into the matter?" He said "We have no men but I

shall try to send somebody to your house sometime during the day to have a look round, and when you come back from the Council I shall come myself say at about 7 o'clock." That was yesterday. I went back from the Council at quarter past 7. Up till 9-30 there was no body calling though I was told some one had come and seen my son at noon. Then I sent another chit to the Police Inspector. The man who took the chit to the police-station told me that the police officer who read it threw it away from him. I only mention it for what it is worth, I cannot vouch for it, but this is what I was told. However after a time good sense prevailed and probably the Inspector thought that it was not a very courteous thing to do and so after my man had come back I was rung up on the phone by him: "Is that Mr. Basu—we have got your note. Speaking from the Bhowanipore thana. What do you want us to do, Sir?" I told him that I wanted to recover my things or at least the police should make an attempt to recover them. Then through the phone came the reply "We have no time to-day but will take up the inquiry to-morrow. We are absolutely tired out. Will not to-morrow morning do?" Well, Sir, I did not know what to say. So I kept quiet. I was told that the Inspector would come next morning before I went to court but up till now nobody has come.

This is the sort of treatment meted out to a man who makes a complaint about burglary and this is the way the police carry on their ordinary civil duties. This is my personal experience and my experience of the police this time shows that there is something rotten in the Presidency Police at least in my section of the town. And unless in the case of *hartal* or civil disobedience or strike or chasing innocent persons with regulation *lathies*, the police will not be there.

3-45 p.m.

Mr. C. R. DAIN: Sir, if it is to be developed healthily there must be some stability in the traffic conditions in the city so as to attract new capital for transport services but it is impossible to get it under the present conditions. All through the day there is no heavy traffic and I know of no instance when the town police has failed to regulate it effectively. My friend has referred to London in somewhat slighting terms but I can assure him that between 5 and 6 it is not a question of how many buses or trams are standing at any particular place, it is simply a question of the amount of energy that is spent in managing the traffic. For all that I do support my reverend friend in his indictment of the police in not having tackled the traffic problem of the city on right lines. All the world realise that uneconomic and

unnecessary competition is bad from every point of view and it is bad for the licensing authority of the transport facilities to allow unrestricted competition and the result has been that all the concerns are losing money. Only the companies with the strongest finance will manage to exist. On this ground I support the present motion.

With your permission, Sir, I will read a statement made in the House of Commons quite recently—in 1929—by Mr. Morrison, the Minister of Transport. It reads as follows:—

"With the leave of the House, I will make a statement which the Prime Minister has authorised. The Government have now examined the London traffic situation. We agree with the opinions expressed by the London and Home Counties Traffic Advisory Committee that no lasting solution of the dual problem of the congestion of the streets and the provision of proper facilities for the travelling public will be found unless further steps are taken towards eliminating uneconomic and unnecessary competition. We also agree generally with the Committee that a far-reaching measure of unification under a public control is essential to progress, and that, on the other hand, given unified management and efficient operation of the various passenger transport agencies in the London traffic area, there is little doubt that the consequent elimination of the present wasteful competition would result in sufficient revenue being obtained from the operation of the several undertakings at the present level of fares as to leave, after meeting all legitimate claims and obligations, a margin available to attract fresh capital sufficient to provide for a programme of steady and continuous development of the traffic facilities of the area."

I was encouraging these ideas in the city without having obtained the slightest result. Certain suggestions will be found both in writing and in print in the Government files but nothing whatsoever has been done.

Maulvi ABUL KASEM: I agree with the Revd. Mr. Nag on this point that the Calcutta Police do not do their ordinary civil duties. I have not much experience of the matter to which he has referred and which has so seriously offended his sense of decency but I am drawing the attention of the House to the fact which Mr. N. K. Basu has mentioned, showing that the police do not care at all for their ordinary civil duties. One particular matter was referred to by Mr. Dain about traffic. I admit, Sir, that in recent years the work of the Traffic Police has certainly improved but still in certain matters they are very negligent and cause a good deal of inconvenience to the

people of Calcutta. For example, the congestion at railway stations and street corners and junctions is very great where buses, trams, motor-cars and ticca-gharries are all locked up so often, not because they are regulating the traffic but because they are mismanaging the whole thing, and the pedestrians find it very difficult to use the streets. The reason is that—and I think it is known to everybody, bus drivers or bus owners, ticca-gharry drivers and others are not allowed to get into, or get out of, railway stations without in some way satisfying the policeman or police officer on duty there. That is the reason of these congestions. We have also heard about thoroughfares being polluted by the presence of public women. But what about the highways and byways of Calcutta where all sorts of criminal offences are committed? Respectable citizens are molested and disturbed not by public women but also by public men—by whom I mean the *goondas* of the city, who generally interfere at night and in lonely quarters rob the people. Mr. N. K. Basu has drawn attention to the fact that a burglary had taken place in his house and that no action was taken on his complaint by the police. Now if a man of his position and influence specially in the Bhowanipore quarters finds his complaint neglected what do you think of a complaint made by poor people who live in huts and not in palaces like Mr. Basu? Whenever they make a complaint to the thana not only are they not heard but they are turned out and asked to get away. It leads to this: that whenever any offence which is not of a very serious character such as murder has taken place, people are afraid of going to the thana because they are asked to go to their houses and attend to their business. I think the time has come when special attention should be paid to the ordinary duties of the police. Now an impression has gone forth that the police are justifying their presence and their emoluments by doing political work only and nothing but political work. Political work may be one of the duties but not the chief or main duty of the Calcutta Police. Calcutta Police is a costly thing and that cost is being met by the taxpayers of Bengal because the citizens of Calcutta want peace and order and protection not only from molestation but from robbery and theft and other disturbances. Those who realise these things are not the people who run about the streets of Calcutta in motor-cars but they who have to walk about the streets of Calcutta. It has been pointed out that the Calcutta Police are very negligent in protecting the lives of the people. So far as traffic is concerned I believe they are not so negligent but what about people who live in the bye-lanes, I mean where the scum of the society, the *goondas*, etc., and other people congregate? They do not receive that protection which is expected from the capital of Bengal, and a civilised city like Calcutta. With these words I give my support to the motion as it stands but not to the idea that has been expressed by the Revd. Mr. Nag.

Mr. P. BANERJI: The Revd. Mr. Nag, the mover of the motion, says that the Calcutta Police are very much inactive but I say on the contrary that they are very much active. The reason why they are so much inactive in their ordinary duties is because they are very much active over things relating to public vehicles in Calcutta. Therefore they cannot be said to be inactive, because it would be doing them a great injustice if it be said that the police should be more active in preventing overcrowding in buses and trams. It is said that there is less overcrowding in tramcars but I say there is overcrowding in trams but being a monopoly company it is protected by Government. That is why police take no cognizance of such cases of overcrowding but every day drivers or conductors of every bus are hauled up by the police before the court and he is fined something like Rs. 10—25. I know of cases where a conductor earning Rs. 25 a month has been fined Rs. 50. Therefore I say that the police are very much active where bus drivers or conductors are concerned and so they should not be allowed to be more active towards the buses; otherwise they will be doing a great injustice and the result would be that the great congestion which has been minimised by the introduction of buses in Calcutta would again increase and the buses would cease to exist. Already many bus owners have closed down on account of these oppressions by the police in the Public Vehicles Department. When there is overcrowding I know conductors request the members of the public to get down because more passengers have got up than there are seats for, but they do not go down and must get inside the buses. I have seen many cases and even conductors under my employ have often reported to me of such cases. On inquiry it will be found that the fault lies with the members of the public because they will never care whether there are seats enough for them, whether there are 14, 24 or 32 seats they must get in any how. They cannot wait for another bus which is perhaps coming behind. If in a 14-seater bus they find that there are 12 men, still they must all rush in along with their friends for they do not like that some of their friends would be in one bus and others in another. I say if in this case any person is to be blamed it is the passengers and the police should not be so much active over buses or bus drivers or conductors but on the members of the public.

4 p.m.

The Hon'ble Mr. W. D. R. PRENTICE: Sir, I am afraid that Mr. Narendra Kumar Basu by narrating his experience with the police officer of the Bhowanipore thana has rather taken the wind out of my sails, because one of the excuses which I would have urged on behalf of the Calcutta Police is that it was not very fair to criticise them for their defaults during last year, as conditions were then distinctly difficult

and they had to deal, in addition to their ordinary duties, with a state of affairs which threw on them an extraordinary amount of extra work. However, that state of affairs has passed and let us hope it has passed for good, and that we shall not have occasion to hear any more of experiences similar to that of Mr. Narendra Kumar Basu. I do not mind admitting that even with the *hartal* on, the police should have taken prompt action, although I would rather have expected that Mr. Narendra Kumar Basu would sympathise with them in observing a *hartal*. However, I do not justify the delay on the part of the Calcutta Police in regard to this matter, and I am sure the Commissioner of Police, to whom this will be communicated, will do what is necessary.

Mr. Nag in moving his motion dealt with certain types of offences. His first point concerned nuisance cases. His complaint was that the police do not prosecute persons who commit nuisances in public thoroughfares. If he will look at the Calcutta Police Administration Report in the Library, he will find that the police were by no means lax in prosecuting persons for these offences. It is impossible to give the exact figure for any particular kind of nuisance from the report, but the total number of nuisance cases under the Indian Penal Code and the Police Act was somewhere over 10,000. I imagine that a good number of these cases will probably be found to deal with those offences to which he refers. One of the great difficulties in these classes of offences is that the trying courts deal with them summarily and previous convictions cannot be taken into account. So it is very difficult to deal with them by a scale of increasing penalties. But for a real remedy we must depend on the spread of education amongst the people, who must recognise that insanitary practices react on their fellow citizens. We have all heard of the spread of primary education in Calcutta which has been going on during the past two or three years, and we hope this will lead to a gradual improvement in this respect.

As regards lepers and beggars, we are up against a long standing problem. For the matter has been under discussion for the last 12 years since the report of the Mendicancy Committee and the beggar problem has been receiving the attention of Government ever since. Various schemes have been framed from time to time and there has been a good deal of correspondence with the Calcutta Corporation. Funds are needed to tackle the problem. Government say that the Corporation should pay, the Corporation say—no, the beggars do not all belong to Calcutta. In 1929 Government came to certain conclusions on matters of principle in connection with a scheme, which, like many other schemes, has been hung up for want of funds, and at the present moment it is impossible for Government to take the matter any further. We have not, therefore, pressed the scheme on the Corporation, because until funds are available, it is useless to take up the question, the more so as the Corporation has

refused to accept liability. But I can assure Mr. Nag that the beggar nuisance is not neglected by the Calcutta Police. His complaint against the police is that they are remiss in prosecuting. In the last Administration Report of the Calcutta Police you will find the following remarks:—

"*Beggars.*—11,159 beggars were arrested by the police during the year and sent up to court. Of these 8,955 were warned and discharged, 1,917 detained till rising of the court, 275 whipped and discharged, 8 imprisoned, 3 fined and 1 acquitted. The solution of the beggar nuisance does not lie in the hands of the police, and I can only hope that some day public opinion will be strong enough to get steps taken to solve the problem."

You will notice that although 11,159 cases were sent up, 8,955 + 1,917 = 10,872 cases resulted in practically nothing, as the accused were warned and discharged or detained till the rising of the court. The amount of work involved in preparing chalans and sending up these cases to court was very great and it was practically useless work. For while the magistrates realise that begging is an offence punishable under the Act they think that it will serve no useful purpose to punish the beggars. That is the view held by the magistrates who try the cases. Consequently we shall have to deal with the problem as a whole from another direction. We shall have to find work for these beggars. If he is a cripple or unable to work, he must be put in some kind of sanatorium, if he is an able-bodied beggar, he must be made to work. Unless something on these lines be done, we shall not be able to solve the beggar problem, and until money is available, I am afraid I cannot promise much improvement with regard to this problem in Calcutta.

The next problem dealt with by Mr. Nag is the question of overcrowding in buses, and his complaint was that the police take no action in prosecuting the offenders. Mr. P. Banerji on the other hand contends that the police pay too great attention to prosecuting the bus people who are unable to prevent the public from overcrowding the buses. I do not mind admitting that the transport conditions in Calcutta are far from satisfactory. I had a conversation with the Commissioner of Police, some days ago on this subject and I told him that now that he was free, at any rate for a time, from the extra work due to the civil disobedience movement, he might see whether he could not do something to improve the traffic conditions in Calcutta. I found that he had already taken steps in the matter and was in communication with various people. He is trying his best to bring about an improvement in the present state of things. I do not myself think that the conditions in Calcutta will improve by prosecuting for every breach of the regulations. That is a policy which I am sure the Council will not advocate. What we should try to do is to bring about a proper regard

for the traffic regulations amongst bus and taxi drivers. We want the private proprietors of buses and taxis to impress on their drivers the necessity of recognising the traffic regulations. They should realise the dangers of rash driving in Calcutta. We want the taxi-drivers to realise that while it may be amusing to them to do some of their antics, these are dangerous to others. Then we have got the buses. One sometimes sees three or four of them racing in the streets and if the same number comes racing from the opposite direction, the situation becomes more serious still. I do not believe that the remedy lies in prosecution. The people behind the guilty drivers should be got hold of, I mean the owners; they should train up their drivers in a proper manner; they should impress upon them the necessity of recognising the traffic regulations and should thus bring about an improvement in the conditions under which traffic is carried on in Calcutta. Mr. Dain referred to the interest he has taken in this problem of transportation in Calcutta. I have read most of his papers with interest and advantage and in time to come when we come to deal with the matter, his advice and the information at his disposal will be of great help. My own view is that sooner or later it will be advisable to hold a general inquiry into the whole question to see whether the regulations in force for traffic generally cannot be improved. But the present is not the time for such an inquiry. For the present we are trying to get into touch with the people behind the scenes—the bus and taxi owners, and I hope that by this means an improvement may be effected.

As regards overcrowding about which Mr. Nag complained, I am afraid, as Mr. Dain has explained, that it is very difficult to prevent it at certain hours of the day, but I can assure the House that the police are doing all they can to minimise the evil as far as possible.

Then Mr. Nag dealt with the difficult problem of public women and solicitation. He has referred to a locality in Bhowanipore, in connection with which Mr. Hunt made some inquiry. There is, as members are aware, an Act—Bengal Act III of 1907—under which the Commissioner of Police, when he receives information, among other things, that any house, room or place is used for the purpose of a brothel on any main thoroughfare which has been notified in this behalf by the local Government on the recommendation of the Municipal Commissioners, can make an inquiry and can finish up by passing an order for the discontinuance of such use of such house, room or place. Under that Act the decision of the Commissioner of Police that a house, etc., is used in any manner described in the section shall be final and the legality or propriety thereof shall not be questioned in any trial or judicial proceedings in any court. If Mr. Nag will let me have details of the case referred to by him, I shall look into the matter, but for all practical purposes the decision of the Commissioner of Police is final.

4-15 p.m.

As regards the question of solicitation, I must say my experience has not been the same as Mr. Nag's; I have not noticed ticca-gharries waiting from the corner of Dhurrumtolla, up to near the Museum. Indeed in front of Firpo's and several other places in that neighbourhood it is quite another class of vehicle that one notices. I have myself had occasion to remark on the presence of such ticca-gharries at the corner of Kyd Street near where I live, but I cannot say that I have suffered from the attention to which Mr. Nag refers. I shall, however, bring Mr. Nag's complaint to the notice of the Commissioner of Police. At the same time I would point out that in the Police reports you will find figures showing the proceedings taken against solicitation, and regarding the control of disorderly houses, so that while it is possible that everything is not being done that ought to be done, yet it is not true that the police are entirely neglecting their duties in this respect.

As regards the complaint made by Maulvi Abul Kasem that the police do not pay sufficient attention to the inhabitants of the poorer localities, who are exposed to the terrorism of thieves and *goondas* and people like that, I think he has forgotten the existence of the Goondas Act. There have been numerous proceedings against *goondas* and one thing that has struck me in connection with these cases, is that many of them are based on the complaints that these *goondas* have been terrorising the inhabitants of the poorer localities. During the last year there were 26 cases in which *goondas* were externed, and in addition 45 *goondas* who had disobeyed the order of externment and returned to Calcutta within the period of the externment order, were prosecuted and sentenced to imprisonment. If there is any locality in which there is real terrorism by *goondas*, I can promise that if these cases are brought to the notice of the Commissioner of Police he will go into them and ascertain all the facts. But of course the police have to use the powers they have with a certain amount of caution, and with due regard to the evidence available. There have been cases in which sufficient evidence has not been adduced to make out a *prima facie* case, but such cases are not lost sight of. They are kept on record and when sufficient evidence is available, action is taken.

I hope I have shown the Council that the Calcutta Police, as far as they are able to do, pay attention to their civic duties, and that to say that they always neglect them is not quite correct.

The motion of Revd. B. A. Nag was then, by leave of the Council, withdrawn.

Mr. PRESIDENT: I have an announcement to make for the information of the House. The adjournment motion has altered our time table. The House will remember that 5½ hours were allotted to the

discussion of the demand under the head "Police." The adjournment motion will take two hours of that time, leaving only 3½ hours available for the discussion of the grant now before the House.

The following motion was called but not moved:—

MUNINDRA DEB RAI MAHASAI: "That the demand of Rs. 38,000 under the head '26A.—Presidency Police—Port Police—Pay of sergeants' be reduced by Rs. 101 (to raise a discussion for Indianising the Port Police Establishment)."

Mr. PRESIDENT: We can have one discussion on motions 468 and 484.

The Hon'ble Mr. W. D. R. PRENTICE: I have no objection. The recruiting agency is entirely different; we have one for Calcutta, and one for Bengal.

Mr. PRESIDENT: Would you like to make one speech on these motions or deal with them separately?

The Hon'ble Mr. W. D. R. PRENTICE: I am perfectly willing to take them together. I think it will save time if we take them together.

MUNINDRA DEB RAI MAHASAI: I beg to move that the demand of Rs. 30,97,134 under the head "26A.—Presidency Police—Pay of Establishment" be reduced by Re. 1 (to express disapproval of the policy in recruiting non-Bengalees to the rank of constables in Presidency Police).

Sir, I am no advocate of narrow provincialism. My personal view is to keep open the public service for the fittest Indian. It may be asked then: Why, have I tabled this motion? There are some cogent reasons behind it. In the course of my visits to various places in India, I have come across several Bengalees, some of them domiciled in those provinces. Their general complaint was that Bengalees were being gradually eliminated from the public service. The doors to public service have already been shut against the Bengalees in the other provinces. Higher grade appointments to deserving domiciled Bengalees, already in the service, have become an eye-sore to the people of those provinces. I may cite an instance to the point. Some years ago I paid a visit to the Patna High Court. The then Deputy Registrar happened to be a domiciled Bengalee. He kindly took me over round the buildings and in course of conversation related to me that his

appointment was not liked by those who advocated Bihar for the Biharees and the *Searchlight* was publishing series of articles to replace him by a Biharee. A few weeks later, I found that the agitators had gained their point and my friend had to revert to the Judicial Service. The same sort of story was repeated to me in the United Provinces and other provinces where I went during the last Christmas holidays. Now the question is that if the Bengalees are ousted from the public service in other provinces, then why should the public service of Bengal remain open for all? My service-seeking fellow countrymen of Bengal feel this iniquitous treatment very keenly and I, therefore, could not refuse their earnest request to move in the matter. This may be called a selfish motion. Certainly it is so. But I cannot shut my eyes to the realities of the situation by blindly yielding to the broader nationalistic sentimentalism. I have already at the outset told you that my personal views were contrary to the motion which I have just moved. But justice and equity demand a satisfactory solution of the problem. My submission to the Government is that they should try to safegard the interests of the Bengalees in the public service of the other provinces and exert their influence to keep their doors open to the fittest Indian and if that be not possible, public service of Bengal should remain a close preserve for Bengalees or those domiciled in this presidency.

The object of my present motion is to express disapproval of the policy in the recruitment of non-Bengalees to the rank of constables in Presidency Police. If necessary facilities for training be given and if they are liberally admitted, I think equally efficient Bengalees will be forthcoming to fill up the rank of constables. The present constables are recruited either from Bihar or the United Provinces and are drawn generally from the agriculturists of these provinces.

Sir, the chaukidars and dafadars, who are entrusted with the onerous task of keeping the peace in the interior, the sirdars, the paiks and the tainits of the zamindars who are equally capable men also come from the class of agriculturists. If people of this class in Bengal are given the opportunity, they will, I believe, turn out to be as hardworking and capable constables in the presidency as the present incumbents are. The ancestors of these people formed the nucleus of the Bengal army in the olden days. Their military exploits are matters of history. Even during Moghul rule, they did yeoman service in the militia of Bengal. It is unfortunate that with the advent of British rule, these people were totally neglected and preference was given to outsiders to lord over the peaceful citizens. Sir, the big talk of provincial autonomy is abroad. Will it be consistent with our dignity and prestige to call in the aid of people living outside Bengal to maintain our peace and order? It is simply an absurd proposition. It is high time for the Government to stop further recruitment of non-Bengalees in the Police Service and encourage by all means the children of the soil in future recruitments.

With these few words, I commend my motion to the acceptance of the House.

The following motion was called but not moved:—

Maulvi MUHAMMAD FAZLULLAH: "That the demand of Rs. 45,45,000 under the head '26C.—District Executive Force—Constables' be reduced by Re. 1 (to express disapproval of the policy of Government in recruiting non-Bengalees to the rank of constables in the Bengal Police Service)."

The Hon'ble Mr. W. D. R. PRENTICE: I can assure the Council that the policy of recruiting Bengalees as constables is one which has the full sympathy of Government. The number of Bengalee applicants who apply and who comply with the standards laid down is, however, totally insufficient for the needs of the Bengal Police or the Calcutta Police. I discussed this question with Mr. Craig this morning and he assured me that if Bengalee applicants came along to enlist as constables, he would be only too glad to enlist them, if the applicants coming forward came up to the standard. It is impossible, therefore, to accept this motion as the number of people applying who come up to the standard required for the work for which they are enlisted is insufficient both in Calcutta and Bengal.

Rai Bahadur Dr. HARIDHAN DUTT: May I request the Hon'ble Member to state what attempts are being made by Government and what inducements have been held out to induce Bengalees to come forward for the purpose of enlisting as constables?

The Hon'ble Mr. W. D. R. PRENTICE: I cannot say that any particular inducement has been held out. The standards and prospects are generally known to the classes from which such recruits come, and we get sufficient applications from people of other provinces in spite of the fact that no particular inducement is held out to them.

The motion of Munindra Deb Rai Mahasai was then, by leave of the Council, withdrawn.

The following motions were called but not moved:—

Maulvi SYED JALALUDDIN HASHEMY: "That the demand of Rs. 41,80,700 under the head '26A.—Presidency Police' be reduced by Rs. 100 (policy of the Government in launching prosecutions under section 62A of the Calcutta Police Act)."

Mr. P. N. GUHA: "That the demand of Rs. 41,80,700 under the head '26A.—Presidency Police' be reduced by Rs. 100 (policy of spending money for the Presidency Police out of Provincial Revenues)."

Maulvi ABDUL KARIM: "That the demand of Rs. 41,80,700 under the head '26A.—Presidency Police' be reduced by Rs. 5 (paucity of Muslims in Calcutta Police)."

Maulvi MUHAMMAD FAZLULLAH and Maulvi ABUL KASEM: "That the demand of Rs. 41,80,700 under the head '26A.—Presidency Police' be reduced by Re. 1 (to express disapproval of the present policy of maintaining the Calcutta Police from the Provincial Revenues)."

Mr. P. BANERJI: "That the demand of Rs. 1,59,000 under the head '26B.—Superintendence' be reduced by Rs. 63,500."

Khan Sahib Maulvi BAZLUL HUQ: Mr. President, Sir, I beg to move that the demand of Rs. 41,80,700 under the head "26.—Police—26A.—Presidency Police" be reduced by Re. 1. My object to move this cut motion is to draw attention of the authorities to the paucity of Mussalman employees under the Commissioner of Police, Calcutta.

Sir, once again I appear before you with a communal question. My object is to show to the House how far the claims of the Moslems have been systematically ignored in every department. There is a belief in certain quarters that Government show undue favour to the Mussalmans at the cost of the other communities in the matter of appointment. I will show by concrete examples that that belief has no foundation. On the contrary, I will show that the Muhammadans are the most neglected of all the communities in Bengal in the matter of enjoying State patronage. They have been continuously robbed of their just shares on the plea of their backwardness in education. I will show here that this plea is a means to an end—cleverly devised to deprive the poor Mussalman community of their morsel of food. Even in services where educational qualification is not the main standard, the fair and equitable justices were denied to the Moslems.

Sir, from the annual administration report of the department concerned for the year 1929, I find that there were 641 constables out of which 168 were Moslems and 473 non-Moslems. What the duties of this class of men are, is known to every gentleman of this House. Now the question is: are not the Mussalmans competent enough to deal *lathi* blows and break the heads of people? Are they so much feeble, emaciated and have they not the courage and strength to execute these particular duties of public services? In the riots in Calcutta, Dacca and Kishoreganj and other places all the blames were thrown to the Mussalmans and credit was given to them, if these nefarious acts call

for credit at all, that the Moslems were the aggressors and that they could take the aggressive parts because they were physically strong and were bold enough to make free use of weapon of oppression and destruction—I mean *lathis*, etc. As a matter of fact, if strength, boldness, courage and fearlessness be the criterion, I can, without fear of contradiction, assert that the Moslems possess all these attributes and can prove equal to the task and responsibilities, if offered. But here also the unlucky Moslems have been mercilessly slaughtered on the altar of injustice. What justifications lie at the bottom of this unjust treatment remains to be seen and heard. There is another aspect of the question which I cannot pass over. Let us see how many Bengalees are there in the whole cadre and how many of them are Hindus and Moslems. Sir, one's blood will boil when one will learn that of the 641 constables there were only 43 Bengalees and of this number Hindus are 34 and Moslems are 9.

The Hon'ble Mr. W. D. R. PRENTICE: On a point of order, Sir. The question of recruitment of non-Bengalees in Presidency Police has just been discussed and I do not think he is in order in referring to that again.

Mr. PRESIDENT: Khan Sahib, your grievance is that more Muhammadans should be employed and I think you should confine your remarks to that point only.

Khan Sahib Maulvi BAZLUL HUQ: We find there is only one Mussalman amongst ten Assistant Commissioners and eight inspectors out of a total of 65 and 30 sub-inspectors out of 117 at the close of the year 1929. Sir, I leave it to you to judge whether the proportion is fair and just. Do these figures show Government's determined policy to help the Moslems in getting back their lost position and due and legitimate share and can the Government be supported to have discharged their duties and responsibilities impartially and fairly? So it has now become a common belief in the Moslem circle that Government do not really mean to help the Moslems in gaining their just demands and aspiration. It is only lip sympathy and nothing else that Government shows now and then by issuing orders and circulars for Moslem appointment.

Sir, as I am not possessed of the figures regarding the number of ministerial officers, I cannot say positively what is the proportion of the Moslems there. But this much is sure that the number of Moslem ministerial officers is negligible and no proportion is workable.

Before I resume my seat, I think it my duty to urge upon the authorities to be fair to all the communities. Do not be partial to one and negligent to the other. That will tarnish the name and fame of British justice.

The Hon'ble Mr. W. D. R. PRENTICE: Sir, I am sorry Khan Sahib Maulvi Bazlul Huq should have an idea that Government does only lip service to the principle of the appointment of sufficient Muhammadans in the various departments of Government. I can assure him that the policy laid down by Government four years ago is being followed. He must remember that that policy cannot take effect at once, because we cannot dismiss the persons at present in service in order to employ Muhammadans in their place. There must be a gradual increase. However, I am able to show from the figures in regard to Calcutta Police that this policy is clearly being followed. There were eight Muhammadan inspectors in 1929; on the 1st January, 1931, there were ten—an increase of two. In the case of sub-inspectors, there were 29 in 1930; there are now 34. In connection with this motion, I inquired from the Calcutta Police and the reply I have got is to the effect that they are getting plenty of Muhammadan recruits and their percentage is steadily increasing. From this statement and from the figures I have given, I hope the Khan Sahib will agree that we are doing our best to increase the number of Muhammadans in the Calcutta Police.

The motion of Khan Sahib Maulvi Bazlul Huq was then, by leave of the Council, withdrawn.

(At 4-40 p.m. the Council was adjourned for prayer and it reassembled at 4-50 p.m.)

Mr. PRESIDENT: Before Mr. Roy moves his motion, I might tell him that he need not travel over the same ground which has already been covered more or less in discussing the motion of Revd. B. A. Nag.

Babu SATYENDRA NATH ROY: In view of the statement made by the Hon'ble Member-in-charge in reply to motion of Reverend Mr. Nag, I am not going to move it.

The following motion was, therefore, not moved:—

Babu SATYENDRA NATH ROY: "That the demand of Rs. 41,80,700 under the head '26A.—Presidency Police' be reduced by Re. 1 (rash driving by motorists in Calcutta and the desirability in launching more prosecutions for such offences)."

Mr. PRESIDENT: I think we can take up motions Nos. 480, 487, 488, 491, 510, 511 and 512 together.

The following motions were called but not moved:—

Khan Bahadur Maulvi AZIZUL HAQUE: "That the demand of Rs. 1,59,000 under the head '26B.—Police Superintendence' be reduced by Rs. 100 (to discuss the need of retrenchment in the police expenditure)."

Babu KISHORI MOHAN CHAUDHURI: "That the demand of Rs. 1,29,21,600 under the head '26C.—District Executive Force' be reduced by Rs. 20,00,000."

Mr. P. BANERJI: "That the demand of Rs. 1,29,21,600 under the head '26C.—District Executive Force' be reduced by Rs. 1,04,450."

Babu SATISH CHANDRA RAY CHOWDHURY: Sir, I beg to move that the demand of Rs. 1,29,21,600 under the head "26C.—District Executive Force" be reduced by Rs. 10 (to discuss the growth of expenditure under this head and the inefficiency of the force in dealing with ordinary crimes).

Sir, I am tempted to be very brief with my motion. In view of the tendencies I notice in the Members of the Government now to note our suggestions, to argue with us and wherever possible to meet our wishes to some extent even, I will be content with placing certain facts which, I think, are unchallengeable, showing the direction in which a retrenchment is possible in spite of the Hon'ble Member's assurances that he devoted one whole morning in going through the items but found no pruning possible. The Hon'ble Member has directly referred to the District Police probably with an eye to my own motion.

The Hon'ble Member thinks that no reduction in the mufassal police force is possible because of the areas, the difficulty of communication and growth of population————

Mr. PRESIDENT: Order, order. It is time for the adjournment motion to be taken up.

5 p.m.

Motion for an adjournment of the Business of the Council.

Mr. W. L. TRAVERS: With your permission, Sir, I would make a statement. I desire on behalf of the British Group to make an emphatic protest against the discussion of this motion. Any such discussion will do great disservice to the country in every way.

Mr. SHANTI SHEKHARESWAR RAY: On a point of order, Sir. Is the hon'ble member entitled to make any statement of protest at this stage?

Mr. PRESIDENT: I think if you had listened to Mr. Travers patiently, you would not have risen on a point of order so hastily. I think that the leader of an important group in this House is entitled to make a statement, and this is no new thing, either in this Council or elsewhere.

Mr. W. L. TRAVERS: It will accentuate and create racial feeling and ill-feeling and for that reason my group protest against it very strongly. We make this statement without intending any discourtesy in any way to yourself, Sir.

Khan Bahadur Maulvi AZIZUL HAQUE: On a point of order, Sir. Is it not the procedure that leave of the House should be taken in such matters? I understand that it was not put at the time. I understand that at the time you simply read out the motion.

Mr. PRESIDENT: I protest against any such remarks from any member of the House. I read out the statement and said that leave has been asked by Maulvi Syed Jalaluddin Hashemy to move his adjournment motion. I think that was a sufficient warning to members who wanted to object. It could not be my fault if they were caught napping.

Maulvi SYED JALALUDDIN HASHEMY: Sir, I beg to move a motion of adjournment of the business of the Council to discuss a definite matter of urgent public importance, *viz.*, the serious situation that has arisen in the country with regard to Gandhi-Irwin agreement by the execution of Bhagat Singh, Rajguru and Sukdeb.

Sir, it is with feeling of profound sorrow and deep indignation that I rise to move this motion for adjournment. However, Sir, the hangman has done his duty and the law has taken its ordinary course and the majesty of the law has been vindicated. Bhagat Singh, Rajguru and Sukdeb have been hanged. But, Sir, I do not understand what lesson was intended to be taught by that. Is it to strike terror into the hearts of the people who profess violence? Then I must say that it has failed, and very miserably failed. Bhagat Singh, Rajguru and Sukdeb did not petition the Government for mercy. All that they did was to petition Government to be shot and not hanged. That prayer was rejected. Their parents and relatives were not allowed to have an interview with them for the last time. But I shall not speak of all these. We—the people of this country, the people of Bengal, the people of the Punjab, of Bombay and other provinces—petitioned the Government and Lord Irwin to intervene in the matter and stop the vengeance of the law. Why did we do this? We had many examples in the past of political convicts suffering the extreme penalty of law. We have not yet forgotten the extreme penalty paid by Khudiram, Kanailal Dutt, Satyendra Dutt and others. Even in these days instances are not rare. But in this case we thought that the supreme interest of the country was at stake and therefore, Sir, we appealed to the Viceroy to exercise his prerogative of mercy and commute this sentence of death. Mahatma Gandhi can be disbelieved by some people as regards his statesmanship, but even the members of the other side of the House

cannot disbelieve him in his profession of non-violence. I may say that even when the late Mr. C. R. Das defended Gopinath Shah's motive, while condemning his action, it was Mahatma Gandhi who protested against it. We tried to carry a resolution to that effect at Sirajganj, and we were successful. At Ahmedabad we failed to get Mahatma Gandhi's support. Even Mahatma Gandhi is reported to have put considerable pressure on His Excellency to show mercy to these unfortunate persons and it is also reported that the Viceroy gave an assurance to look into the matter with all possible care. I know it was not the condition of the agreement to commute such sentences nor was there any such thing regarding the release of prisoners who were convicted of violence. If I remember aright, it was made out that if there were any amnesty, it would be for those persons who had been sent to jail for non-violent acts. In a certain speech, however, Mahatma Gandhi declared openly that he had great hope of saving the lives of these unfortunate persons and we also thought that if these unfortunate people were not saved, the feeling of the country would go against the agreement and against peace in general. I myself had no intention to support the agreement because it interfered with the Independence Resolution of last year, but, Sir, after a careful study of the agreement, I gave up the idea and I and others thought that we would support Mahatma Gandhi and as far as possible try to bring peace. I believe Lord Irwin, the Viceroy of India, the pioneer of peace and good-will, the pioneer of sympathy and co-operation, the pioneer of trust and fellow-feeling in this country, was misguided and carried away by the reactionaries in this matter. Otherwise it would have been quite possible for the Viceroy to commute the sentences and save the lives of these unfortunate men. If I know the mentality of the people of Bengal, I would make bold to say that this execution might lead many young men to sacrifice their lives at the altar of freedom—many young men will follow the path which leads to the gallows for the attainment of freedom—we have given much stress to the case of these young men only because the trial raised great doubts in our minds. I am not a lawyer and I am not going to dilate on the legal aspect of the question. I leave it to my friends Mr. J. L. Bannerji, Dr. Naresh Chandra Sen Gupta and Mr. N. K. Basu and others, but I say that never before in the country such a deep feeling of resentment has been marked, such great indignation has been roused as I have found over this particular case. Sir, we want a change of heart—we want co-operation, sympathy and good-will. What would have been the difficulty with the British Government if the execution of these unfortunate people had been stopped? Sir, I am sure it would not be irrelevant if I cite certain historical instances. Did not the British Government shake hands with the Sein Finners? Did not the British Government after the truce, shake hands with people who had been charged with murder and rebellion? If we try a comparison

between the violent practice by the Irish with that of Bhagat Singh, Rajguru and Sukdeb, I am afraid the comparison cannot be drawn. What happened in Ireland? There was an agreement—there was a talk and there was a general amnesty. Is it that by this execution the Government of India tried to put the accused to the wrong? Then I will say that if they were trying to do so they have been misled because by this act of execution the British Government will be put into the wrong before the world. The Government of India tried to have *gelmal* in the Congress so that the agreement may be nullified. Sir, all believe in the personality of Mahatma Gandhi and I hope that in spite of opposition he will carry the Congress with him. But this bitter memory will remain for ever in the minds of Bengal and particularly of the Punjab and the demonstrations that are being held all over India is a sure indication that India will not forget it and that India will never forget it. Sir, I will refer to the speech recently made by Mahatma Gandhi after the execution of these unfortunate men. Mahatma Gandhi is an advocate of non-violence, yet he has made a departure in admiring the spirit of patriotism of these unfortunate men. He said: "The execution of such a youth and his comrades has given them the crown of martyrdom. Thousands feel to-day personally bereaved by his death." As regards the execution of these young men, he said: "As for the Government, I cannot help feeling that they have lost golden opportunity of winning over the revolutionary party. It was their clear duty, in view of the settlement, at least to suspend the execution indefinitely. By their action they have put a severe strain upon the settlement and once more proved their capacity for flouting public opinion and for the exhibition of the immense brute power they possess. This persistence in exercise of their brute power is perhaps a portent showing that, notwithstanding pompous and pious declarations, they do not mean to part with power." Then, Sir, there is the statement of Sir James Crerar in the Assembly yesterday when he had to admit that the execution has roused a considerable feeling of resentment in the country. He has, however, declared that the execution was made—that what had been done had been done in the interest of India. I do not understand what he meant by the interest of India. Will anybody in India believe that the interest of India lies more in the heart of Sir James Crerar than in that of Mahatma Gandhi?

5-15 p.m.

I do not understand the meaning of this. Does anybody in India believe that the interests of India are realised better by the Hon'ble Sir James Crerar than by Mahatma Gandhi? But I will not take much time in discussing this matter, but will refer to one more point and finish.

Sir, the question has been raised that the Government of Bengal have nothing to do with this matter. I say, Sir, that the Bengal Government could play a part as they are part of the Government of India. If the Government of Bengal tried to influence the Government of India, they might have partly succeeded and similarly if other provincial Governments had done so very seriously, they also might have been able to influence the Government of India.

Lastly, Sir, I appeal to His Excellency the Viceroy for the grant of an amnesty on the ground of political expediency, if not on ground of humanity, because the present is the most opportune moment for an exhibition of these qualities. Was it not possible for the Government of India to stay the executions indefinitely? Was it not possible for the Government of India at least to stay the executions till the Karachi Congress was over? By this action we are led to believe that Government is trying its level best to exhibit the I.C.S. mentality and to nullify and rescind and do away with the agreement. If they persist in this course of conduct, I say very frankly that Indians will not be afraid if the agreement is broken. Indians are prepared to make the maximum of sacrifices at the present moment and they will follow the example of other nations and that of Bhagat Singh, Rajguru and Sukdeb more vigorously in future.

With these words, I move my motion.

The Hon'ble Mr. W. D. R. PRENTICE: On a point of order, Sir. Now that we have heard the reasons behind this motion, may I ask if the whole discussion is in order? The mover has discussed what the Government of India should have done, and what Sir James Crerar should have done, but we have no *locus standi* in the matter. Is this sort of debate to go on in this Council?

Mr. PRESIDENT: To which part of the speech you take exception?

The Hon'ble Mr. W. D. R. PRENTICE: I protest against the whole thing—as to what His Excellency the Viceroy ought to have done or what Sir James Crerar ought to have done or what the Government of India ought to have done. If the Government of Bengal is to be drawn in, it can only be by saying that the Government of Bengal should have taken steps to ask the Government of India that they should not do this. Would this Government not be rightly told to mind their own business?

Mr. PRESIDENT: I have heard very carefully every word that Maulvi Jalaluddin Hashemy has said and if I had found that he had cast any reflection whatsoever upon the Viceroy, I would have been the first person to stop him. In fact, I may give some direction with regard to this.

It is not permissible that any reflection should be cast on His Excellency the Viceroy. It is much safer not to bring in his name in any shape either in course of an appeal or a thing of that sort. The safest thing would be not to name him at all. It is also not permissible to cast reflection on the courts of justice involved in this matter with regard to the object behind this motion to which the Hon'ble Mr. Prentice has referred. I think it is impossible for the Chair actually to find out or even if the Chair is able to find out, to say in so many words what that object was. Nor is that the business of the Chair. I can only say that up till now the member has said nothing to which serious exception could be taken. A member, speaking on this subject, will be in order so long as he is recording his protest against what has happened and so long as he is giving expression to the feelings which this particular incident has evoked within him. At least when I allowed this motion, I thought that that was the only object behind it. It also gave one an opportunity to plead for the agreement. Beyond this I think no member can go and that is the limitation I would like to impose for the guidance of those who will follow Maulvi Jalaluddin Hashemy.

Maulvi HASSAN ALI: Sir, we are in possession of the House now to discuss a matter which has overcast the whole atmosphere of India with immeasurable grief and gloom.

The Gandhi-Irwin agreement was an unprecedented event in the history of India or for the matter of that in the history of the whole world and India as well as the whole world felt grateful to the two great men of the world—Mahatma Gandhi and Lord Irwin, representing the two great lands of the earth. We cangratulated the Mahatma, we congratulated the noble Lord. The agreement, Sir, raised new hopes in the mind of India. We all thought, we all felt, that the hostilities between the two great countries would cease—that a sincere friendship would be established—a friendship and a union based on faith, trust and good-will; and a new dominion would be born to England. But, Sir, the unfortunate event, the mournful event, the execution of Bhagat Singh and his two young comrades, in my opinion, have struck at the between the two great countries—would cease—that a sincere friendship Sir, true it may be that it was outside the terms of the settlement. True it may be that these young men were murderers, true it may be that these youths were violent terrorists; yet what is the public opinion in the country—what India feels with regard to them? That is a matter, Sir, which is an open secret to all. India denounces the actions of the revolutionaries. Revolution is not the creed of India. Terrorism is not the creed of the Indian National Congress. Violence is not the faith of India's greatest leader. That is true. But nevertheless India loves the courage of these young men. India loves the love which these impatient and desperate youths had within them for their motherland.

The same genuine and intoxicating love which throbbed once in the hearts of these young men throbs also in the heart of whole India and it is for that that India offers her heartfelt praise for them, and it is for that that India to-day is overwhelmed with grief at the loss of these young souls. Sir, it is for that that India requested her great leader Mahatma Gandhi to extricate these, her beloved sons, from the clutches of death. And do we not find that the Mahatma gave hopes in his memorable statement after the negotiations with the Viceroy were concluded? Do we not also find that Mr. J. M. Sen Gupta, the leader of Bengal, also gave hopes that these young men would be saved from the fatal hands of the gallows, from the awful jaws of death? And after all these, are not the Indian public justified in thinking, justified in feeling, that the calamity, the grievous calamity, came upon them quite unexpectedly, quite unwarrantedly? Sir, India feels to-day that British justice is not tempered with mercy, India feels to-day that Britishers are cruel, she feels to-day that British statesmanship is in the wrong. She feels that British statesmanship has gone bankrupt. The whole of India feels that Great Britain has committed a grave blunder by flouting public opinion, nay she has committed a blunder which will ultimately ruin the cause of India and ruin the cause of England herself.

To my mind, Sir, the carrying out of the death sentences of these young men portends many things ominous and grave and fearful. I am afraid that the blunder, serious and undiplomatic as it is, has got its inspiration from Churchillian mentality. It has jeopardised the whole peace prospects. It has jeopardised the sincerity of purpose, good-will, faith and trust between England and India, so vividly outlined in the Premier's declaration on the 19th of January last. It has aroused the old feelings of doubt, suspicion and animosity in the minds of people and I am afraid the people have already begun to feel that the pledges given to India from time to time by the Kings and Queens of England, by her Viceroys and statesmen, and by her Premier at last are but pledges—sham pledges, not well meaning pledges—that will lead India nowhere.

Sir, in the name of clemency, in the name of good statesmanship, in the name of good diplomacy, the Government could have easily averted this calamity which has thrown India into the throes of such a grievous hurt and wound. You might say the matter is not within the terms of the truce and the Government cannot be held guilty of breach of the settlement. Quite right. But was it not within the pale of the real spirit of the Gandhi-Irwin agreement? Was it not possible for the Government to commute the death sentences of these unfortunate young men quite in consonance with the spirit of the Premier's declaration? Could not the Government postpone the execution of the death sentences even to an indefinite time? And what hindered the Government from delaying the execution even after the Karachi Congress was

over? I do not know what causes and what motives were there behind this unseemly and ugly haste expediting the beheading of the young men. Are we not to think that England does not mean well towards India? Are we not to understand that she does not mean to part with powers and prestige? Are we not to understand that all these professions of justice, good-will, trust, sympathy and love are not what they seemed to be at the first sight? Sir, how could England show clemency towards Ireland? How could she show mercy towards the Sinn Finners of Ireland? How could she manage herself to cancel the death sentence of Irish rebel Seon Mackeon? All these she could do with a clear sense of fair justice and good conscience during the violent revolution of the Irish people. But all that she and her statesmen cannot do with clear conscience in case of India whose revolution is merely non-violent. But is that the right policy? I do not know what is going on at the Congress camp at Karachi. I do not know what fate the Karachi Congress would experience within a day or two. But of this much I am sure that British diplomacy by this unexpected act of great blunder has done great harm to Mahatma Gandhi and the cause of non-violence. It has done immense harm to Lord Irwin; it has done incalculable harm to India. It has done great harm to England as well. With the bones of Bhagat Singh and his two comrades between India and England, I am afraid, the Congress will not be able to arrive at an abiding settlement with England. God forbid, the youths of India may not draw inspiration from the corpse of Bhagat Singh thus throwing the country again into the whirlpool of chaos and confusion. Sir, really I feel confused—really people are confused to think what is in store for India—what would follow this unexpected calamity. It seems to be fraught with grave consequences, consequences which, I am afraid, are very likely to bind the hand and foot of Mahatma Gandhi, the very apostle of love and *ahimsa*, the apostle of non-violence and soul force and for the matter of that the greatest friend of Great Britain. The brute force may again come in, and the stories of America and Ireland may be enacted here also, and England instead of having a new dominion born to her, may possibly see the loss of a dominion in India, for the second time.

With these few words, I ventilate my feeling of strong protest—I record my strong resentment at the misguided and wrong statesmanship of England which has thrown the country by this thoughtless and dangerous policy again into throes of suspicion and mistrust, ill-will and chaos.

5-30 p.m.

Mr. SHANTI SHEKHARESWAR RAY: Sir, it is hard to realise that when we in this House were carrying on our normal work on Monday evening last a tragedy was enacted under the orders of the

Government in another part of India. It is difficult to foretell just now the ultimate result of this action. But one thing is clear. The people of this province in common with the rest of India, have received the news with great distress and indignation—distress at our helplessness to influence the policy of the Government to any extent. It is an open secret that the Gandhi-Irwin settlement left the country rather cold. Owing to the great respect in which Mahatma Gandhi is held all over India there has been a natural reluctance to question the merits of the settlement. But behind all this silence, there has been considerable doubt about the change of heart of the Government. If anything, the decision of the Government to let the law take its course so far as these political prisoners were concerned will go a great way to explode the myth of a change of heart. Sir, perhaps any protest at this stage is perfectly useless so far as the great patriots who have given their lives in the service of the country are concerned, but, Sir, those of us who may not perhaps see eye to eye with them in their methods have still a duty to perform. Perhaps it may be irrelevant, but, Sir, in this connection I shall take another opportunity to press on Government their duty so far as the political detenus are concerned. I feel that we shall be misrepresenting the people of Bengal if at this hour of reconciliation we do not press the case of hundreds of our countrymen who are still rotting in the jails simply for their patriotism—for their love of the Motherland. Sir, I ask the Government to take a generous view as regards the political prisoners.

The Hon'ble Mr. W. D. R. PRENTICE: On a point of order, Sir. The motion is to consider the situation created by the execution of Bhagat Singh and others. Has it anything to do with the political prisoners?

Mr. PRESIDENT: I should like Mr. Ray to proceed a little further and then to find out whether his remarks are relevant to the matter under discussion. It is very difficult to stop a speaker unless I have an opportunity to weigh his remarks in the balance to see if he is really going astray.

Mr. SHANTI SHEKHARESWAR RAY: My point is this that in spite of the execution there is still time to ease the situation. I would ask Government to take a generous view as regards the political prisoners. In every country, even in India, the authorities do take a lenient view of deeds committed on a sudden impulse of actions of men carried away off their feet at the heat of the moment. Are we not familiar with the policy of the Government when, say, there is a sudden outbreak of communal passions? In many places when the tumult has subsided the Government has been known not to press for the punishment of the guilty—of men who have committed the worst brutalities. The

murders committed in broad daylight in Calcutta, Dacca and at other places remain still unpunished. Of course individuals may nurse a grievance owing to the ineptitude of the Government, but the people generally reconcile themselves to this policy of inaction as they recognise that it is due to the larger interests of the country as a whole. I would ask the Government to take a similar view as regards the persons in jail who may have been found guilty of any violent action in pursuance of their attempt to secure political rights for the country. I think, Sir, that provided the Government is satisfied that a release is not harmful to the interests of the country, there should be no bar to the release.

Sir, if the British Government is sincere in its declaration of recognition of India's right to self-rule—Swaraj—there can be no reservation so far as political prisoners are concerned.

Maulvi ABDUL HAMID SHAH spoke in Bengali.

5-45 p.m.

Dr. NARESH CHANDRA SEN GUPTA: Sir, we meet under the shadow of what has by the ineptitude of some persons been made into a great national sorrow, and I speak in sorrow and not in anger. It seems as if we were building a great edifice out of the Gandhi-Irwin pact, and this event came upon us like the shock of a great earthquake, and we do not know what amount of damage it has done and whether it threatens to demolish the structure altogether. It is not that these three young men have met their death, not that three persons convicted by a court of law, however constituted, have paid the penalty for the acts they have been found to have committed————

Mr. PRESIDENT: What do you mean by "however constituted"?

Dr. NARESH CHANDRA SEN GUPTA: I was referring to the special tribunal, it was not a tribunal constituted under the ordinary law.

Mr. PRESIDENT: Well, ordinary or extraordinary law, that amounts to a reflection on a court of law and you are not permitted to make such reflections.

Dr. NARESH CHANDRA SEN GUPTA: In that case I withdraw it. But, Sir, this act of the Government of India has made the slender thread by which the fate of the entire country is hanging at the present moment to be put to a very severe strain such as threatens to break it. I wish to refrain from making any remark which may have the effect of increasing the strain which is already as great as it might well be.

I wish particularly to say nothing to rouse or fan any ill-feeling which I would deprecate at the present moment as strongly at least as Mr. Travers. Nor do I wish to criticise the findings and the sentence passed by the special tribunal. Nor shall I say anything about the bankruptcy in statesmanship that has been shown by those responsible for permitting the sentence passed to remain unremitted and unchanged. I shall speak only of the repercussions of this great fact, on the political atmosphere of the country. In this connection I ought to say that courts of law are in some measure bound by the law to pass sentences justified by the findings that they arrive at. Questions of expediency and of the interests of the country are not matters within their cognizance. But in the exercise of the powers vested in the head of the Government to show mercy————

Mr. PRESIDENT: You cannot say that. Are you referring to the Viceroy?

Dr. NARESH CHANDRA SEN GUPTA: I am not criticising the Viceroy but only referring to the powers vested in him.

Mr. PRESIDENT: I had better warn you that you are treading on treacherous grounds and may at any moment be carried beyond proper limits. I have already requested the House to refrain from making any reference about the Viceroy in the present discussion.

Dr. NARESH CHANDRA SEN GUPTA: To any one who has studied the psychology of the people from one end of the country to another it was clear as day light that the whole country was on the tip toe of expectation to hear that the noble gesture of the Viceroy, embodied in the Gandhi-Irwin pact would be followed up by the commutation of the death sentences on the accused in the Lahore conspiracy case. One who has studied the minds of the people would never have the slightest misgiving about what the feelings of the people would be if this hope was not fulfilled. Our worst fears on this head threaten to be realised. It is quite true, as Mahatma Gandhi has himself pointed out, that the commutation of the death sentence on these men was no part of the bargain. No, it was not so stipulated in the bond. But it was the obvious consequence of an effort to fulfil the bargain according to the spirit and not according to the letter. But we are not concerned with whether the Government of India were within their rights or not—we are more concerned with what effect the execution of Bhagat Singh and others has had upon this province and India. The Gandhi-Irwin agreement gave us an atmosphere of peace and goodwill. That has been undermined. The chances of its final fruition in lasting goodwill are greatly jeopardised. Could this result

not have been avoided? For the sake of the lasting peace of the country one would have thought the course of justice might profitably have been stopped by the gentle hand of mercy and statesmanship. Nor was it impossible to find ample excuse for the exercise of mercy in the circumstances of the case itself. The fact that the accused had not the chance of defending their cases as they might have done, that they have been found guilty by a somewhat summary procedure, and that after all the motives of these young men were different from those of ordinary murderers—all these would have been excellent reasons for withholding the extreme penalty of law from these men—a course that statesmanship clearly indicated.

But it is done. Three men are dead—a great blow has been struck at the growing sense of faith and confidence. We must express our horror and sorrow at the needless cruelty of insisting on the death sentence being executed on these persons, specially at this juncture, at this psychological moment. We are full of the most uneasy fears about what all this is going to lead to. But let me hope that however chafed at heart, our countrymen will take to heart the words of Mahatma Gandhi in the opinion he expressed with regard to the future, and remember that after all the great interests of the country at large are greater than the lives of three men—lives which they themselves would have been glad to lay down, not once or twice but many times over. And I hope and trust that my countrymen will not be led astray from their determination to do all that lies in their power to work out the freedom of their country by the paths of peace, to give the methods of peace every chance so that if these efforts fail the fault of it shall not be laid at our door.

Babu JITENDRALAL BANNERJEE: Sir, there are various aspects from which this question might be discussed, and I shall touch very briefly upon them. It is known to every body that these three unfortunate persons were tried in their absence and condemned literally unheard. It may be said that this was their own fault, and I shall not disagree. They caused disturbance, they went on hunger-strike, they refused to come in proper time, they created trouble in every possible way, necessitating the laying down of special procedure for their trial. I don't deny. I shall not utter one word either in praise or in condemnation of these people. They are, unfortunately, beyond the reach of praise or blame. But the fact stands that they *were* tried under an exceptional procedure and therefore there was all the more justification for the commutation of their sentences. That is the only point which I shall make out of this. Again, there is a very widespread belief, and it cannot be outside the knowledge of the Government of India, that Bhagat Singh, at any rate, had nothing whatever to do with the murder of Saunders. There is a widespread impression in the

country that he was not even present at Lahore at the time, but on the other hand was present in Calcutta. If this is within the range of our knowledge, it cannot be beyond the range of the knowledge of Government. Well, if that be so, it strengthens all the more our case for the commutation of the death sentences. But I shall leave these comparatively minor matters aside and go to the root of the matter. I shall ask a question which may seem shocking and astounding to a certain section of the House. I shall ask, are Bhagat Singh and his companions to be treated as ordinary murderers? Well, it may be said that a murder is a murder, a crime is a crime, and bloodshed is bloodshed; and how can I talk of ordinary murders and extraordinary murders? But I shall ask in reply, are not motive and intention to be taken into account? Do they not play a great part in our assessment of the novel value of crimes? Did Bhagat Singh commit the murder from any motive of personal gain or advantage? Was he actuated by any feeling of personal animosity? Was he actuated by any personal grudge? No, no, not even their bitterest enemies can possibly lay that to their charge. What they did, they did sincerely—may be they were wrong, a thousand times wrong, but all the same they did it out of abounding love for their Motherland.

Sir, they wanted to serve the country in their own way. That way might have been the wrong way—to my mind it was a thousand, a million times a wrong way—but all the same it was the way in which they sought to serve their country.

Again, Sir, I ask how long is the old, bad rule—a limb for a limb, an eye for an eye, a life for a life—how long is that old, bad rule to guide the affairs of mankind? That was the old dispensation, so long as men were unregenerate and crime and bloodshed were the order of the day. But we are assured that we are living under more merciful dispensation now, and the evil principle must be abrogated, or we must admit that two thousand years of Christianity and civilization have been in vain. Lastly, Sir, I am tempted to ask: is there no force in public opinion? Can it be said that India to-day is the same as it was a week ago? Seven days ago, there was a fair and smiling prospect before us. To-day India is seething with discontent from end to end. East to west —north to south, there is a deep feeling—rightly or wrongly inspired I do not know—but there is that deep feeling of bitter resentment—a feeling of deep discontent, of deep distrust, of deep suspicion, and of deep injury. And in the face of that feeling, what becomes of the Gandhi-Irwin pact? Sir, we, in our humble way, had pledged ourselves to work for the success of the peace-agreement. But our hands are paralysed now. We feel crippled and shattered in the presence of this great calamity—a calamity not so far as these young men are concerned—they counted their cost and have paid the penalty—but a deep and lamentable calamity for India and for Great Britain as well.

Let us only hope that the people of both countries will rise superior to this temporary tragedy, that they will be able to preserve the balance and serenity of their minds, and go on in the service of the country undeflected by sporadic acts of violence either on the part of the Government or on the part of sections of their own countrymen.

Mr. NARENDRA KUMAR BASU: My first duty in rising to support the motion is to commend the action of the European members of the House. Instead of sitting here listening to the speeches they have taken the unusual course of walking out of the House even as the nationalist members of the Assembly did yesterday over this question. The European members wanted no doubt to show their sense of sympathy by walking out of the House and refusing to take part in the deliberation to-day. I think, Sir, that that ought to have been the feeling of other members of this House to-day and they should have with one accord ceased to take any part in the proceedings of the Council.

If I were so minded I might have taken some delight in repeating to my friends that well-known phrase "I told you so" in this connection. In this House only a few days ago when we were discussing the resolution on the results of the Round Table Conference and when some of my friends were felicitating the Government and the people and the Council on the issues of that Conference, I felt compelled to say to them that notwithstanding what the Viceroy or the Secretary of State or any body else might do, the bureaucracy of India would see to it that those resolutions were not actually translated into action, but, as I have said, I will not repeat the words "I told you so". It will be seen that it is not the Viceroy really who is responsible for this. The law says that it is the Government of India which may suspend or remit or commute a sentence passed by the courts. It is not the act of the Viceroy—it is the Government of India, the Government of India which, as every body knows, had nothing to do with the Gandhi-Irwin agreement which was the personal act of the Viceroy. We all know that if the bureaucracy represented by the Government of India had their way, there would have been no agreement and the bureaucracy has now taken steps for nullifying the agreement. They knew that the Gandhi-Irwin agreement had introduced another atmosphere into the country and that if it continued, the power of the bureaucracy would soon be at an end. They have now shown to the country that they are more powerful than the head of the Government. They have shown that if they could, they would nullify all the terms of the agreement. I know that the commutation of sentences never formed part of the agreement, but by this act of theirs, the Government of India have created a situation by which peaceful result of any conversation between the people and the Government has been very much jeopardised. I shall not say anything about the legality of the procedure under which these men

were tried for their lives and convicted. The previous speaker has hinted at some of them. But I will say this: that if the trial had been held in Bengal even under those circumstances and under those special laws, I think under the rules the Government of Bengal would have provided for the defence of those persons and that some one would have been provided by Government to defend them. These men were undefended, were absent from the court, and still the trial went on under a special ordinance promulgated solely for the purpose of that trial. That certainly would have given reasons for the Government of India to pause and think what they were doing in connection with this case. But, as I have said, it seems to me that what they have done, they have done designedly in order to jeopardise the Gandhi-Irwin agreement and to make the country feel that the heel of the Civil Service is still upon its neck, but I say that whatever they may think or do now, what they have perpetrated is worse than a crime, it is a blunder, and they will rue it sooner or later.

Rai Bahadur KAMINI KUMAR DAS: Mr. President, Sir, I rise to speak out my mind on this occasion; it may reasonably be asked why should I presume to say something on so important a subject which is taxing the brain of the most intelligent in the Empire. It is an admitted fact that in the glass before any one the face that is first seen is the most beautiful to him and similarly to many—himself is one of the most intelligent; I may not be an exception to the rule. I have the audacity to rise on this occasion and I hope I may be excused if I say that for a period of quarter of a century I have tried to think about my king and country and my habit has become a second nature; therefore it pains me much to see that some mistake has been committed and I find it is not because sages sometimes err and Government have also in this case erred accidentally,—it is not accidentally and by chance but deliberately and out of some deep-rooted motive. What that motive is we can only conjecture and no assertion can be made on this inference and conjecture.

Our great countrymen are of opinion that it is an atttempt on the part of Government to draw them to give battle; on the other hand Government (Imperial) assert that they have followed the direction of the law more strictly, conscientiously and fairly and that for the benefit of the Indians. The inference and assertion do not clash and there is no harm if both be correct; our countrymen will take care and be on their guard—but what we are here for? Simply not only to offer prayer for the great soul that has just departed because this is not the proper place for that—we cannot sit on judgment because that is useless and will never operate as *res judicata*. Government will act in their own way on political grounds according to law administered by them and will surely play the same game again when necessity will arise. The

present Government are doing it. Previous Governments of the world did so and future Governments will surely do the like. But we are here to express our opinion and Mr. President has been pleased to give us this opportunity.

I assert and I hope I am not alone in this House that the action of Government about the execution of Bhagat Singh, Sukdeb and Rajguru is not prudent—is not statesmanlike. I assert and I hope there may be some who think with me that the action of Bhagat Singh and his two comrades as found by the tribunal cannot be justified by law-abiding people. But if our Bhagat Singh, Sukdeb and Rajguru have done what they have been charged with and found guilty of, they have done with the best of motives but they have erred on the wrong side. I pray for peace of their souls, and that is the only thing that can be done. We feel that Governments concerned have done something which on the face of it appears to be unstatesmanlike, and they have lamentably shewn and betrayed their weakness which does not befit the first and most powerful power of the world. Mercy should have been tempered with justice. After all let us wait and see the result. God fulfils Himself in many ways.

Maulvi TAMIZUDDIN KHAN: I would like to say a few words on the motion now under discussion in the House.

Mr. PRESIDENT: May I remind you that only three minutes are left before we adjourn for prayer.

Maulvi TAMIZUDDIN KHAN: It is no doubt highly regrettable that these young men have been executed. In view of the situation that has been prevailing in the country for some time past perhaps it would have been advisable to have the sentence of death commuted. I think the view which Mahatma Gandhi took in this matter is the only correct view. Perhaps by a commutation of the sentences, the Government of India could have won over the terrorists as the Viceroy has been able to win over the non-co-operators by an agreement with Mr. Gandhi. But having admitted all this the question is what purpose would be served by carrying the present motion now under discussion. No doubt the whole Indian atmosphere is now surcharged with deep feelings of grief and we should all be careful that these feelings do not lead any section of the people to excesses. Sir, if we are really well-wishers of the Gandhi-Irwin pact, if we are really anxious to see peace and prosperity in this country, we should leave no stone [illegible] to see

that the Gandhi-Irwin pact still stands. Sir, in our grief over the execution, we should not allow ourselves to be carried away in such a manner as to jeopardise the Gandhi-Irwin pact. As the time at my disposal is very short, I would like to finish by again repeating in all earnestness that in the larger interests of the country as also for the sake of peace and calm atmosphere, no attempt should be made to carry the motion which is inopportune and as such does not deserve to be supported.

[At 6-15 p.m. the Council was adjourned and it reassembled at 6-30 p.m.]

The Hon'ble Mr. W. D. R. PRENTICE: I do not propose on behalf of Government to take any lengthy part in this discussion for, as I have already said, the event which has given rise to this motion is not within the ambit of the responsibilities of the Government of Bengal. I would only say that while we recognize, as Sir James Crerar has said, that there is a very deep public feeling in various directions, we sincerely hope that reflection will bring about a wide realisation of the transcendent necessity of working out the Irwin-Gandhi agreement and of bringing in a future which will be happier than the present.

Mr. W. L. TRAVERS: I move that the question be now put.

Mr. PRESIDENT: I accept the closure motion and will put the question.

The question that the question be now put was put and agreed to.

The motion of Maulvi Syed Jalaluddin Hashemy was then put and a division taken with the following result:—

AYES.

Ali, Maulvi Hassan.
Bakah, Maulvi Syed Majid.
Banerji, Mr. P.
Bannerjee, Babu Jitendralal.
Basu, Mr. Narendra Kumar.
Chaudhuri, Babu Kisheri Mohan.
Choudhury, Maulvi Nuzul Abbar.
Chowdhury, Maulvi Abdul Ghani.
Ezuddji, Maulvi Nur Rahman Khan.
Fazlullah, Maulvi Muhammad.
Hakim, Maulvi Abdul.
Hashemy, Maulvi Syed Jalaluddin.
Hoque, Kazi Emdadul.
Lal Muhammad, Haji.
Maiti, Mr. R.
Mookerjee, Mr. Syamaprasad.
Rai Mahasai, Manindra Deb.
Ray, Mr. Shanti Shekhareswar.
Ray Choudhury, Babu Satish Chandra.
Rout, Babu Hemni.
Roy, Babu Satyendra Nath.
Roy Choudhuri, Babu Hem Chandra.
Sahana, Babu Satya Kinkar.
Samad, Maulvi Abdus.
Sen Gupta, Dr. Naresh Chandra.
Shah, Maulvi Abdul Hamid.

NOES.

Bakali, Maulvi Shaik Rahim.
Bal, Babu Lalit Kumar.
Bal, Mr. Sarat Chandra.
Blandy, Mr. E. N.
Burn, Mr. N. H.
Chaudhuri, Khan Bahadur Maulvi Alimuzzaman.
Chaudhuri, Khan Bahadur Maulvi Hafizur Rahman.
Clark, Mr. I. A.
Cohen, Mr. D. J.
Coppinger, Major-General W. V.
Cooper, Mr. C. G.
Dain, Mr. G. R.
Dash, Mr. A. J
Easson, Mr. G. A.
Farequi, the Hon'ble Khan Bahadur K. G. M.
Fawcus, Mr. L. R.
Forrester, Mr. J. Campbell.
Gangali, Rai Bahadur Susil Kumar.
Ghose, Rai Bahadur Sasenka Comar.
Ghuznavi, the Hon'ble Alhadj Sir Abdelkerim.
Gilchrist, Mr. R. N.
Gurner, Mr. C. W.
Haque, Khan Bahadur Maulvi Azizul.
Huq, Khan Sahib Maulvi Bazlul.
Hussain, Maulvi Latafat.
Hutchings, Mr. R. H.
Kasem, Maulvi Abul.
Khan, Khan Sahib Maulvi Muazzam Ali.
Khan, Maulvi Tamizuddin.
Khan, Mr. Razaur Rahman.
Luke, Mr. N. R.
Maguire, Mr. L. T.
Marr, the Hon'ble Mr. A.
Miller, Mr. C. C.
Mitter, the Hon'ble Sir Provash Chunder.
Mullick, Mr. Mukunda Behary.
Nag, Mr. K. C.
Nag, Reverend B. A.
Nazimuddin, the Hon'ble Mr. Khwaja.
Norton, Mr. H. R.
Ormond, Mr. E. C.
Philpot, Mr. H. C. V.
Prentice, the Hon'ble Mr. W. D. R.
Rahman, Mr. A. F.
Reid, Mr. R. N.
Roy, Babu Jitendra Nath.
Ray, the Hon'ble Mr. Bijoy Prasad Singh.
Sarkar, Sir Jadunath.
Sarker, Rai Sahib Rebati Mohan.
Stapleton, Mr. H. E.
Strensch, Mr. K. F. G.
Thompson, Mr. W. H.
Travers, Mr. W. L.
Wordsworth, Mr. W. S.

The Ayes being 26 and the Noes 54 the motion was lost.

DEMANDS FOR GRANTS.

The discussion under the head "26.—Police" was then resumed.

Mr. PRESIDENT: We now come back to motion of Babu Satish Chandra Ray Chowdhury.

Babu SATISH CHANDRA RAY CHOWDHURY: Now, Sir, I resume my speech. I will cite the case of my own district which being the biggest will serve as an example—the best example—both to test his assertions and the value of my challenge. Not very long ago—I mean about two decades ago—my district used to have one Superintendent of Police at headquarters and an inspector of police in each of the five subdivisions and latterly one Deputy Superintendent of Police for each subdivision. These inspectors were practically the final authorities in dealing with crime, the Superintendent of Police only intervening to supervise their works in serious crimes like murders and dacoities. The inspectors then had real initiative and how they used their

opportunities are borne out by the low figures on the crimes register. The police had great prestige then and the criminals had a dread of them. What is the case now? For Mymensingh we have three Superintendents of Police now—the number is four with the Intelligence Branch Superintendent. Then for each subdivision except Sadar we have a Deputy Superintendent of Police—one an Assistant Superintendent belonging to the Imperial Service, and the number of inspectors has been increased in the same rates, *i.e.*, three times, being 15. What is the effect of this increase in the superior staff? As compared with the figures of 1912 serious crimes like dacoity have gone up four times as revealed in the Police Administration Report of 1929.

What is the reason of this? To my mind the reason is that initiative has been taken away from persons like the inspectors who have acquired vast experience by years of hard labour and by carrying on difficult investigations often at the risk of their lives, and raw young men have been pitchforked over their heads to control and guide them. The inspectors nowadays—I may assure you I have many friends among them—do not wear that impressive look—the look of a Jouvre of the French novel—which used to inspire at one time both awe and respect. They are now all gentlemen at large quite amicable and courteous gentlemen of the *dolce far nieute* sort except of course when they are handling political cases when their pristine vigour is brought into play. I questioned one gentleman in the service—I will not name him, as to why in the public eye they have fallen so far in efficiency. He humorously replied by saying, "You, gentlemen in the Council, help to keep us in service without doing much in the way of real investigations; as our efficiency now is judged more by our ability to supply figures to silence your criticisms." There may be a good deal of truth in this. It is the gift of imagination which is now more in demand amongst our sub-inspectors and inspectors than the qualities of diligent application and laborious investigation. If you have a Deputy Superintendent of Police for each subdivision—grey-haired veterans in the service—why can't you delegate more and more powers to them and do away with the necessity of having so many additional Superintendents of Police at the centres? Political movements and political crimes have nothing to do with this increase, for to deal with those there is the fully manned and fully equipped District Intelligence Branch as an additional burden on us.

The increase of number of thanas and number of sub-inspectors is no less remarkable. In my district there are three officers for each thana whereas formerly there used to be only one officer per thana who was assisted by an assistant sub-inspector in some places. I can quite appreciate that the increase of thanas may have some justification to make the administration more effective.

6-45 p.m.

But in considering the necessity of officers we have got to consider this fact also that in most of the places union boards and union courts have come into existence. They are doing very valuable work in the way of checking crimes. Speaking of the rural police, the Administration Report for 1929 says: "The help and co-operation of these union boards have served a most useful purpose in the prevention and detection of crime." Sir, what is the value of all our co-operation if the burden on the tax-payer goes on increasing and if the ever increasing demand for police make an ever increasing inroad on the slender resources available for the nation-building departments?

Here I feel compelled to challenge one statement in the Administration Report, 1929, namely, that the increase in cognisable crimes in Mymensingh was due to failure of rice crop and in Bakarganj the increased figure is due to better reporting. Well, these two arguments alternatively applied will cover a multitude of failings on the part of the police. I would welcome any sign of increasing confidence of the people in the police leading to better reporting. But our experience does not support such a conclusion. The increase in crimes, in my opinion, is due to increasing inefficiency of the police in the matter of detection.

The reasons given by the Hon'ble Member for such a tremendous increase in the police staff—superior particularly—will hardly bear a moment's scrutiny. There has been no increase of area in Mymensingh. The growth of population bears no proportion to the growth of the staff and expenditure. The difficulty of communication has diminished considerably everywhere and in my district very much since the opening of Mymensingh-Bhairab Bazar Railway in 1916. So on these reasons and on these reasons alone, a staff even smaller than the staff engaged two decades ago should be considered as sufficient.

I hope the Hon'ble Member in charge of the Police Department will admit that the growth in both staff and expenditure is not at all justifiable for the purpose of keeping order in the country which was kept equally well, if not better before. If I am right in my figures and in what I say, then I submit that here is the one direction in which the pruning knife might be applied with great advantage, and the Police Department cost may be cut down considerably. It is difficult indeed for us always to point out the particular items which can be reduced. All that we can say is that the expenditure on the Police head is going up by leaps and bounds, and the increase has never been below Rs. 10 to 14 lakhs every year. Excuse or no excuse, civil disobedience or no civil disobedience, the increase is going up. There is still the danger of still further increase, because I find in the Administration Report of 1929 that there have been many schemes which are very necessary according

to the report and which are being kept in abeyance for want of funds. So we have not yet reached the end of our troubles—we have not yet reached the limit up to which the police expenditure is threatening to go up. We have got to be on the alert, and for these reasons I would ask the Hon'ble Member in charge of the Police Department whether he thinks that certain schemes, as mentioned in the Administration Report, for the housing, etc., of the police officers are necessary and urgent. In that case also the best thing that we can do is to find out ways and means for bringing down the expenditure and try to meet the urgent needs from part of such savings.

I hope the Hon'ble Member will remember that he said that he spent one whole morning to find out what items of expenditure might be reduced. I take it that the Hon'ble Member was in earnest and therefore I would ask him to emulate the example of the Hon'ble Member in charge of Jails and notify to this House a sufficient reduction under Police, thus widening the scope of our co-operation and mutual understanding.

With these words I commend the motion to the acceptance of the House.

Mr. SHANTI SHEKHARESWAR RAY: Sir, I beg to move that the demand of Rs. 1,99,88,000 under the head "26—Police" be reduced by Rs. 10,00,000.

Sir, it is purely an economic cut. In response to the demand of the members of this House, the Hon'ble Sir P. C. Mitter, as it was expected of him, has consented to reduce the demand of the Jails by Rs. 5 lakhs. I would ask the Hon'ble Member in charge of the Police Department to rise to the occasion and follow the example of his colleague. Sir, when we move a cut motion as a censure on a particular policy of the Government, the Treasury Benches invariably oppose. But, Sir, this is not a motion censuring the Government on a particular issue. It is purely a question of retrenchment. It is well known that the country is passing through a period of distress. An ordinary householder will try his best to cut down his expenses under present conditions. I ask, what is the Government doing in this respect in its most extravagant department—the Police Department? Is the Government content with cutting down expenses in the nation-building departments? Is it the height of statesmanship to deny the Calcutta University a few lakhs which the University so urgently need? If the Government is consistent, if the Government really wants the people to believe in its professions of love for the country, if the Government wants us to believe that we are in for a new condition of things, I think the least the

Government can do is to cut down its expenses under this head. Sir, I do not want to go into details about the different heads under which reductions can be made, but I would make a general suggestion. For instance, Government may stop the increments that are due to the officers in various departments. Sir, most of the money, at least a considerable part of the money, under this head goes to the people coming from outside Bengal, because, as we have already listened to the fact, most of the constables in the police force are not Bengalis. Sir, reduction in their salary will not in any way harm the poor people of this province, for whom, I am glad to see, great sympathy is professed by Government and the European benches. Sir, if this is not sufficient, Government may reduce the existing salaries of officers by a certain percentage. That may also help to reduce the expenditure. In any case I think there should be a serious attempt on the part of Government to make a reduction in the expenditure.

Adjournment.

The Council was then adjourned till 3 p.m. on Thursday, the 26th March, 1931, at the Council House, Calcutta.

Proceedings of the Bengal Legislative Council assembled under the provisions of the Government of India Act.

THE COUNCIL met in the Council Chamber in the Council House, Calcutta, on Thursday, the 26th March, 1931, at 3 p.m.

Present:

Mr. President (the Hon'ble Raja Sir MANMATHA NATH RAY CHAUDHURI, KT., of Santosh) in the Chair, the four Hon'ble Members of the Executive Council, the three Hon'ble Ministers and 109 nominated and elected members.

Starred Questions

(to which oral answers were given).

Court of Wards estates in Rangpur.

***161. Babu JITENDRALAL BANNERJEE:** (*a*) Will the Hon'ble Member in charge of Revenue Department be pleased to state whether each of the estates now under management of the Court of Wards in the Rangpur district has records of rights prepared after survey under section 101 and the following sections of Chapter X of the Bengal Tenancy Act?

(*b*) If the answer to (*a*) is in the negative, will the Hon'ble Member be pleased to state whether in the case of those estates now under Court's management and having no records of rights prepared as aforesaid, the Collector applied immediately after assumption for the preparation of records of rights under Chapter X of the Bengal Tenancy Act, to enable him to have recourse to the summary procedure for the purpose of collection of rent?

(*c*) If the answer to (*b*) is in the affirmative, will the Hon'ble Member be pleased to lay on the table a copy of the Collector's application and the Government's order thereon?

(*d*) If the answer to (*b*) is in the negative, will the Hon'ble Member be pleased to state whether Government are aware that even in such estates the collection of rent is being made by summary procedure under the provision of the Bengal Public Demands Recovery Act?

(*e*) Will the Hon'ble Member be pleased to state whether the officers concerned pay sufficient attention to the directions and instructions laid down in rule 255 of the Bengal Wards Manual, that resort to

extreme measures by summary procedure must be postponed till it is possible for the tenantry to pay with the improvement of the situation?

(*f*) Will the Hon'ble Member be pleased to state the criteria by which the estates having no records of rights prepared after survey under Chapter X of the Bengal Tenancy Act may be declared ripe for the application of the certificate procedure?

MEMBER in charge of REVENUE DEPARTMENT (the Hon'ble Sir Provash Chunder Mitter): (*a*) and (*b*) No.

(*c*) Does not arise.

(*d*) and (*e*) Yes.

(*f*) It is the function of the Commissioner of the Division to decide whether the certificate procedure should be applied, and no criteria have been laid down.

Sirajganj-Charabari Feeder Service and the shallowness of the river Jumna and its channels.

***162. Maulvi NUR RAHMAN KHAN EUSUFJI:** (*a*) Is the Hon'ble Member in charge of the Irrigation Department aware that the plying of the ferry steamer between Charabari and Sirajganj has been stopped for the last two years during the dry season on account of the shallowness of the river Jumna and its channels?

(*b*) Is the Hon'ble Member aware that as a result of the discontinuance of the aforesaid ferry service the passengers have had no other alternative left to them but to have recourse to the Up and the Down steamers plying between Sirajganj and Porabari?

(*c*) Is the Hon'ble Member aware that the journey between Porabari and Tangail is most troublesome and tedious and causes a good deal of inconvenience to the passengers, both physically and economically?

(*d*) Will the Hon'ble Member be pleased to state what steps, if any, are being taken by the Government in the matter?

MEMBER in charge of IRRIGATION DEPARTMENT (the Hon'ble Alhadj Sir Abdelkerim Chuznavi): (*a*) During the last two years it has been stopped from time to time but not throughout the dry season.

(*b*) and (*c*) Yes.

(*d*) The Steamer Companies have been addressed on the subject, and on receipt of their reply it will be considered what steps should be taken.

Maulvi SYED MAJID BAKSH: Will the Hon'ble Member be pleased to state whether it would not be possible to clear the passage with the aid of the dredgers?

The Hon'ble Alhadj Sir ABDELKERIM GHUZNAVI: I am afraid not.

Maulvi NUR RAHMAN KHAN EUSUFJI: Will the Hon'ble Member be pleased to state when the reply referred to is expected?

The Hon'ble Alhadj Sir ABDELKERIM GHUZNAVI: In due course.

Khan Bahadur Maulvi AZIZUL HAQUE: Due course of what, due course of Government or anything else?

The Hon'ble Alhadj Sir ABDELKERIM GHUZNAVI: In the due course of things.

Estates under the management of the Court of Wards in Rangpur.

***163. Babu NAGENDRA NARAYAN RAY:** (*a*) Will the Hon'ble Member in charge of Revenue Department be pleased to state—

(*i*) the names of the estates that are at present under the management of the Court of Wards in the district of Rangpur;

(*ii*) whether each of these estates has records of rights prepared after survey under section 101 and the following sections of Chapter X of the Bengal Tenancy Act;

(*iii*) the names of the estates which have records of rights prepared as aforesaid and the time when such records of rights have been prepared; and

(*iv*) whether in cases of those estates where records of rights have been prepared as aforesaid, the safeguards contained in the conditions for protecting the rights of the tenancy laid down in Government notification No. 4794, dated the 12th March, 1929, published on page 511 of the *Calcutta Gazette* of 21st March, 1929, have been fulfilled, to enable the local Government to accord its sanction to the landlords to realise their rents by summary procedure?

(*b*) Will the Hon'ble Member be pleased to state whether it is a fact that orders from the Hon'ble Board of Revenue have been issued recently for indiscriminate filing of certificates without payment of *ad valorem* fees and court-fees for the processes?

(*c*) If the answer to (*b*) is in the affirmative, will the Hon'ble Member be pleased to state that demand of such certificates if realised (*sic*) whether the certificate debtor is also required to pay the requisite *ad valorem* fee and other costs not paid before by the estate for such certificates?

(*d*) Will the Hon'ble Member be pleased to state whether, in view of the present disastrous economic distress in the Rangpur district, the Government are considering the desirability of stopping application of the Public Demands Recovery Act for collection of rent in such estate as per rule 7 of the Public Demands Recovery Act, until the preparation of records of rights?

The Hon'ble Sir PROVASH CHUNDER MITTER: (*a*) (*i*) Kakina, Tushbandar (senior and junior), Bamandanga, Sadya Puskarini, Panga, Bardhankuti, Assanulla Trust, I. C. Roy's Trust. The Kasimbasar estate has also large areas in the district.

(*ii*) No.

(*iii*) There is no record of rights except for *diara* areas surveyed and settled by the Mymensingh settlement.

(*iv*) The notification referred to does not apply to estates under the management of the Court of Wards.

(*b*) The orders do not permit indiscriminate filing of certificates without payment of *ad valorem* fees and court-fees for processes.

(*c*) Certificate debtors are required to pay *ad valorem* fees and costs, whether prepaid by the estate or not.

(*d*) No. Government are satisfied that the Board of Revenue did take into consideration all the local circumstances, including the condition of the tenants.

Legislative Council Department.

***164. Mr. S. M. BOSE:** (*a*) Will the Hon'ble Member in charge of the Legislative Department be pleased to state what progress has been made towards the establishment of a separate Legislative Council Department?

(*b*) What has been done in terms of the assurance given by the Hon'ble Member in reply to the token motion moved by Maulvi Shamsuddin Ahmed and Mr. S. M. Bose on the 21st March, 1930?

(*c*) Has the Hon'ble Member information in what other provinces in India a separate Legislative Council Department has already been started?

MEMBER in charge of LEGISLATIVE DEPARTMENT (the Hon'ble Sir Provash Chunder Mitter): (*a*) and (*b*) A Committee has been constituted to examine this question, and materials have been collected and prepared. The Committee sat on one occasion. Before my departure for England I raised the question of further progress in the examination of this question with some of the members of the Committee and the Hon'ble the President. They expressed the

opinion that as I was dealing with the matter I might take it up after my return from England.

(*c*) In January, 1930, there were separate Council Departments in the following provinces, *viz.*—

(*1*) Madras,

(*2*) United Provinces, and

(*3*) Punjab.

Since then it is believed steps have been taken to create a separate Council Department in Bihar and Orissa.

Mr. S. M. BOSE: Will the Hon'ble Member be pleased to state when he expects this Committee to make the report?

The Hon'ble Sir PROVASH CHUNDER MITTER: I have already issued a notice calling a meeting of this Committee on the 1st April next. It is for the members to decide; that is the earliest date which I could fix.

Mr. S. M. BOSE: When was the Committee appointed?

The Hon'ble Sir PROVASH CHUNDER MITTER: I do not remember.

Mr. S. M. BOSE: When did the Committee hold its first meeting?

The Hon'ble Sir PROVASH CHUNDER MITTER: I believe in July or August of last year.

Rai Bahadur KESHAB CHANDRA BANERJI: Will the Hon'ble Member be pleased to state whether this was discussed in the March session of the Council last year?

The Hon'ble Sir PROVASH CHUNDER MITTER: Yes.

Separate Council Department.

***165. MUNINDRA DEB RAI MAHASAI:** (*a*) With reference to the reply given to starred question No. 24 at the meeting of the Council held on the 12th August, 1930, will the Hon'ble Member in charge of the Legislative Department be pleased to state whether the Committee has now finished its labours and has submitted any report?

(*b*) How many meetings were held by the Committee?

(c) If no meetings were held, will the Hon'ble Member be pleased to state the reasons therefor?

(d) Will the Hon'ble Member be pleased to state whether the Government are considering the desirability of separating the existing staff as it now exists?

(e) If the answer to (a) is in the negative, will the Hon'ble Member be pleased to state whether any meeting of the Committee is likely to be held during the present session? If not, why not?

The Hon'ble Sir PROVASH CHUNDER MITTER: (a), (d) and (e) The member is referred to the reply given to the question put by Mr. S. M. Bose on the same subject.

(b) One.

(c) Does not arise.

Unstarred Questions

(answers to which were laid on the table).

Inconveniences of lower class passengers of inland steam-vessels.

101. Maulvi MUHAMMAD FAZLULLAH: (a) Will the Hon'ble Member in charge of the Marine Department be pleased to say whether any rule or rules have been made to ensure—

(i) supply of fresh drinking water to inland steamer passengers in Bengal;

(ii) sufficient lighting on steamers;

(iii) sufficient privy arrangement for 3rd and inter class passengers?

(b) Is it a fact that the privy is set up for 3rd and inter class female passengers at such a distance that *purdanashin* passengers cannot utilize them with convenience to themselves?

(c) Is it a fact that the number of privies intended for 3rd class male passengers has increased of late on inland steamers of the India General and Rivers Steam Navigation Company, but that the lighting arrangement in the privies is insufficient and the space therein inconveniently narrow?

(d) Is it a fact that there is no raised platform or any other arrangement for keeping water pots, such as *lota* or *badna*?

(e) Is it a fact that the room meant for inter and 3rd class mess is not allowed by the butlers to be used for the taking of food by passengers which is brought from home?

(*f*) Is it a fact that the butlers of I.G. & R.S.N. & Co.'s steamers open the mess-room only when the food is supplied by them?

(*g*) If the answer to (*f*) be in the affirmative, are the Government considering the desirability of instructing the Steamer Companies to direct their butlers or Captains of the ships or the serangs to keep open the mess-room to passengers for taking food brought from home?

(*h*) Is it a fact that no separate privy arrangement has been made by the I.G. & R.S.N. & Co. for inter class male and female passengers?

(*i*) Is there any rule requiring supervision of the quality and quantity of meals supplied by butlers to 3rd and inter class passengers in the inland steamers of Bengal? If not, are the Government considering the desirability of pressing for such a rule to be made?

(*j*) What action are Government taking for the formation of a steamer advisory committee to look after the convenience of the passengers under the Inland Steam Vessels (Amendment) Act of 1930?

MEMBER in charge of MARINE DEPARTMENT (the Hon'ble Mr. A Marr): (*a*) (*i*), (*ii*) and (*iii*) Yes.

(*b*) No. The position of privies on all vessels is fixed with due consideration as to convenience of approach and the sanitation of the steamers. In vessels carrying a large number of passengers on the upper deck a privy for the use of 3rd and inter class female passengers is arranged as near as practicable to the accommodation allotted to them.

(*c*) Yes; Government are informed that it is the custom of these Companies to provide more privies than the rules require. The lighting is by electricity, and the room is reported to be ample.

(*d*) Yes.

(*e*) No special room is provided.

(*f*) Yes.

(*g*) No.

(*h*) Yes.

(*i*) No. Government are not considering the framing of a rule.

(*j*) The question is under consideration.

Political prisoners.

102. Maulvi ABDUL HAKIM: Will the Hon'ble Member in charge of the Political Department be pleased to lay on the table a statement showing the total number of political prisoners convicted up to 28th February, 1931, in each district in Bengal?

MEMBER in charge of POLITICAL DEPARTMENT (the Hon'ble Mr. W. D. R. Prentice): Government are not aware of the meaning which the member putting this question attaches to the term "political prisoners." On the assumption that the question refers to persons convicted of offences connected with the civil disobedience movement a statement of such persons is laid on the table.

Statement referred to in the answer to unstarred question No. 102.

	District.	Number of persons convicted for offences connected with the civil disobedience movement between April 1st, 1930, and February 28th, 1931.
1.	Burdwan	538
2.	Birbhum	94
3.	Bankura	635
4.	Midnapore	1,426
5.	Hooghly	300
6.	Howrah	619
7.	24-Parganas	532
8.	Nadia	446
9.	Murshidabad	88
10.	Jessore	264
11.	Khulna	417
12.	Dacca	366
13.	Mymensingh	1,412
14.	Faridpur	595
15.	Bakarganj	557
16.	Chittagong	48
17.	Tippera	208
18.	Noakhali	83
19.	Chittagong Hill Tracts	Nil
20.	Rajshahi	188
21.	Dinajpur	329
22.	Jalpaiguri	74
23.	Rangpur	416
24.	Bogra	102
25.	Pabna	209
26.	Malda	46
27.	Darjeeling	5
28.	Calcutta	2,289
		[illegible]

DEMANDS FOR GRANTS.

The discussion under the head "26.—Police" was then resumed.

Mr. J. N. GUPTA: Sir, not having been in touch with the current problems of this province for some time it was not my intention to take any active part in the debate during the present session. But the administration of the police is a subject with which I have been connected for so long and which is rightly exercising the minds of the people so greatly at the present time that I should be failing in my duty as an elected member of this Council should I keep my lips sealed on the present occasion. Sir, at a time when terrorist crimes are so rampant in the province and the baneful spectre of communism is rearing its gory head over the frontier, I am fully aware of the grave responsibility which rests on all law-abiding citizens and members of this Council to help to maintain as far as possible the prestige and position of the police and the care which must be exercised in making any observations which may be reasonably construed into a disparagement of the force on whom falls the heavy and very often thankless task of maintaining law and order for the benefit of the entire community. Nevertheless, Sir, if one feels as I do, that it is in the best interests of the police themselves and of the administration that we should recognise the admittedly universal unpopularity of the police in this country and try and diagnose the reasons in a calm and impartial spirit with a view to removing as far as possible all preventible causes, it is clearly a duty which we cannot shirk. Sir, in Bengal at least I do not think it is difficult to put our finger on the main symptoms of the disease. One of the most obvious reasons is of course the rapid and heavy increase in the cost of the maintenance of both the city and mufassal police to the detriment and, one might almost say, the starvation of all the other nation-building departments of the administration. I am aware, Sir, that this is a well-worn theme, but that does not help us to feel any the less keenly the grave danger to the very foundations of our national progress by the vicious circle which this ever increasing expenditure on the police is inexorably weaving round the body politic. More and more expenditure on the police means less and less of the funds available for building up the nation resulting in economic stagnation, ruined and deteriorating health of the people and unemployment and political unrest and crime amongst the educated youths of the country. The last necessitates the adoption of wider and more intensive repressive measures and increase in the cost of the police leaving still smaller margin for the uplift of the people. Sir, once before on the floor of the House I had occasion to appeal to the statesmanship and imagination of the Government to take bold and comprehensive measures for breaking through the meshes of this vicious circle.

To-day I once more repeat my exhortation. But my appeal is no less to the Congress and the other accredited leaders of public opinion for it is obvious that unless they co-operate whole-heartedly with Government in this matter it would be impossible for the Government to find either the time or the means for taking up comprehensive and constructive measures for the uplift of the country. Sir, I might well be asked that having regard to the experience I have had in actual work of the administration if I have any useful suggestion for retrenching the cost of the administration of the police. I believe, Sir, I have. It is true the Hon'ble Home Member has assured us that he has carefully scrutinised the police budget which he has presented and has failed to discover any scope for possible economy. I do not disbelieve the Hon'ble Home Member. If we allow the organisation of the district police to remain as it is it may not be possible to reduce the expenditure by reducing the pay of one or two officers, or cutting down one or two appointments here and there. But is it not possible to introduce any changes in the present scheme which, while reducing the expenditure, will not impair the efficiency of the force. I have always thought that if the volunteer police forces which were so successfully tried in Hooghly and other districts were largely extended and placed on a statutory footing that will not only help to popularize the police and thus indirectly increase its efficiency but also materially relieve the public exchequer. Sir, I propose at an early and convenient date to introduce a private Bill on the subject. Turning to the cadre of the mufassal police, I feel that there is room for substantial retrenchment. There is no reason in my opinion why each division should have a Deputy Inspector-General of Police and why between the Sub-Inspector, Inspector and the Superintendent of Police the Deputy Superintendent as well as the Assistant Superintendent should be interposed. I think we can well do away with the Deputy Superintendent altogether. I am aware that the transfer of most of the police powers of the District Magistrate to the Superintendent of Police and the Deputy Inspector-General and the excessive multiplication of the routine duties of the police have been partially responsible for these additions to the police cadre. But judged on the standard of the detection of crime and the conviction of criminals in Courts of Justice I do not think these substantial additions in the higher grades of the police have borne commensurate satisfactory results. Sir, in my humble judgment there is a good case for a searching scrutiny with a view to pruning down all non-essential growths in the duties of the police and for the retrenchment of the staff of the mufassal police with which alone I have personal experience.

I must now turn to what is probably the more potent and almost the principal cause of the unpopularity of the police. Sir, I regretfully refer to the tactless and unsympathetic conduct of the officers of

the higher police and the prevalence of dishonesty of the subordinate police. Sir, it is not with the object of playing to the gallery that I am constrained to raise this issue to-day. When the accredited head of the police of a province, an Inspector-General publicly gives evidence before a Commission that in his experience the raising of the pay and the emoluments of the sub-inspector has had been no other effect than that of increasing the rate of the bribe which he now demands and that almost the entire force is corrupt and when such opinions find an echo in the experience of most other executive officers I think, Sir, there is a matter————

The Hon'ble Mr. W. D. R. PRENTICE: May I ask who made that statement?

Mr. J. N. GUPTA: It was made by an Inspector-General of Police of Bihar and Orissa. If the Hon'ble Member wants I can give him the name.

I think, Sir, there is a matter which must breed sorrowful contemplation in the minds of those who are sincerely anxious to improve the prestige of the police in this country. Sir, it is no answer to say that dishonesty is not confined to the ranks of the police alone. Sir, the reason why the corruption prevailing amongst the police causes such universal dissatisfaction and makes the whole of the Government unpopular in the eyes of the vast body of the people, is because the subordinate police wield such unfettered powers and are the real arbiters of the fate of the defenceless people in the mufassal areas of the country. Sir, if we are really anxious to purge the rural police of corruption, the first necessity in my opinion is that we should take away all arbitrary and unfettered powers from their hands. I will make my meaning clear if I were to make a concrete suggestion. Anybody, who has any experience of the investigation of crime knows what enormous powers are given to the charge officer in drawing up the document known as the First Information. The omission of a single name or an incident in this document, the addition of a single name or incident might mean either a loophole for the escape of a criminal or the implication of an innocent man who has refused to pay a bribe. The whole position should be carefully examined and the legal and evidentiary value of a first information should be greatly restricted and this document should only be used for the purposes of the investigation. Similarly, Sir, I am greatly in favour of the former powers of the District Magistrate in police matters being restored to him. The public do not have much faith that they will have redress if complaints against a sub-inspector of police are to be decided by his own departmental superior officer and such a sentiment is only natural. Nor do I think it is necessary

have practically two executive heads of the district, the District agistrate and the Superintendent of Police. The present system es not certainly aid efficient administration, a view which I am sure ll be endorsed by most Indian District Magistrates. I have not ich experience of the administration of the metropolitan police, but has always struck me why this city should be kept in the sole charge the Commissioner of Police when the Government removes to the ls and why the Commissioner of the Presidency Division who is nerally a senior officer of the Indian Civil Service should not be left charge on these occasions.

Sir, I admit I have only been able to make stray and disjointed ggestions. But I think at least the majority of the House will ree that there is a good case for the appointment of a strong nmittee for exploring all possible avenues for retrenching the cost the administration of a department which now engrosses one-fifth the entire revenues of the province and for making suitable ommendations for expanding the popularity of the force. I am e the Hon'ble Home Member should not have much hesitation in epting this proposal, as whatever the recommendations of the nmittee might be, by the time they are translated into practice the ponsibility for the administration of the police would have probably en transferred to other shoulders than his.

The following motion was called but not moved:—

Rai Bahadur SATISH CHANDRA MUKHERJI: "That the nand of Rs. 1,99,88,000 under the head '26.—Police' be reduced by . 9,88,000."

Mr. SYAMAPROSAD MOOKERJEE: I beg to move that the nand of Rs. 1,99,88,000 under the head "26.—Police" be reduced by . 1,29,000.

The reason why I have given notice of this is very simple. It is my purpose in this connection to discuss the general policy of the ice administration. On the other hand I want the Hon'ble Member-charge to act exactly in the same spirit in which his colleague n'ble Sir Provash Chunder Mitter had acted in connection with the nand for jails. If you will refer for a moment to the red book which been circulated to us you will find that a sum of Rs. 1,29,000 resents the sums of money which have been provided in the coming lget in order to cope with the possibility of the continuance of the l disobedience movement. The other day Sir Provash Chunder ter, in moving his motion in connection with jails, specially pointed that the Government was prepared to take out Rs. 5,00,000 from budget estimate which was provided for meeting charges in nection with the civil disobedience movement. Sir, if the Hon'ble

Mr. Prentice would refer to pages 59 and 60 he will find that I am referring, in the first instance, to the provision of Rs. 27,000 for the additional executive and ministerial staff for the Special Branch of the Calcutta Police. The next item is the sum of Rs. 30,000 (page 60) provided for the continuance of the extra temporary District Intelligence staff for a further period of six months on the expiry of the present term of sanction on the 31st March, 1931. At the time the budget estimates were prepared Government thought that the civil disobedience movement might continue. The term of sanction expires on the 31st March; the civil disobedience movement has been discontinued and there is no reason why the Legislative Council should be asked to meet this extra provision even for a period of six months. The next item refers to a provision of Rs. 72,000 towards the end of the same page providing for the continuance of the extra temporary Central Intelligence Branch for six months of 1931-32 on the expiry of the current term of sanction on the 31st March, 1931. Exactly the same observations apply in this connection also.

In fact I gave notice of this motion just in order to test the *bona fide* of Government. Let us see if the Hon'ble Mr. Prentice is prepared to accept this very modest amendment which is, in other words, consequential upon the policy initiated as a result of the Gandhi-Irwin agreement.

With these words I commend my motion to the acceptance of the House.

Mr. NARENDRA KUMAR BASU: I shall be very brief. I support with my whole heart the suggestion made by Mr. J. N. Gupta that a retrenchment committee should be formed for the Police Department, a matter that is extremely urgent. Sir, whenever we, non-official Indian members, make any remarks on the police grant, which is very very high, we are always told that no reduction is possible and that we are unmindful of the interests of law and order. But I am glad to say that in the Simon Commission's Report, Sir John Simon has said that law and order is the first interest of every Indian citizen and that law and order, according to him, the same as it is to us, in fact is more important to us who have lived in the country from our birth than it is to those who come to sojourn amongst us for a short while. Sir, the population of Bengal, during the last 10 years, has increased from 46,700,000 to just about 50 millions, this is an increase of 7·8 per cent. but the police budget for the same period has increased from Rs. 1,75,00,000 to just below Rs. 2 crores, an increase of over 14·3 per cent. I submit that it is not right for any one to say that all this increase of Rs. 25 lakhs is due to the civil disobedience movement. Even if it were it is certainly time now that the Gandhi-Irwin compromise has come into force that we should have some reduction in

this demand. The Hon'ble Mr. Prentice in moving this demand said that he had spent a good part of the morning to find out if he could make any reduction in this budget. I submit, from his own statement, he admits that the demand of Rs. 2 crores under one particular head is very very high. My suggestion is that the Home Member who has got to deal with so many departments which demand so much of his time can only give one full morning in sacrifice of other work to consider in what way some reduction can be made. If he were to take non-official help (without any fee and without any allowances) I am sure it would be possible for half a dozen heads to be brought together and consider the matter, and that would certainly be wiser than one small head. I think the suggestion of a retrenchment committee is a very good one.

The Hon'ble Mr. W. D. R. PRENTICE: Sir, a considerable number of subjects have been dealt with in the various speeches that have been made, and I shall only attempt in the time allotted to me to deal with some of them. As regards the question raised by one of the last speakers that because the Jails Department has made a cut in consequence of the stoppage of the civil disobedience movement, it was felt that the same procedure should be adopted by the Police Department, this was one of the points which I dealt with in my opening remarks when introducing this demand. I pointed out in connection with jails that it was possible for Government to make such a cut because a large amount of the jails expenditure was on the upkeep of prisoners. If you are satisfied that you are likely to have 1,000 prisoners fewer and they cost you 8 annas a day each, that comes to a saving of Rs. 500 a day, *i.e.*, say Rs. 1,82,000 a year which you can cut from the budget, in additions to the charges for warders to guard them and jails to keep them in. This is not possible in connection with the Police Department. A definite suggestion for a cut has however been made by Mr. Syamaprosad Mookerjee. I will take up the three items to which he refers. You will find that none of them refers to the civil disobedience movement. They refer only to the Special Branch, and to the Intelligence Branch of the Criminal Investigation Department. None of them refers to the civil disobedience movement. This staff in the Special Branch and Intelligence Branch is required to deal with the entirely different question of terrorism, and if you say that Rs. 1,29,000 should be cut off because the civil disobedience movement is off, I would say in reply that these items do not refer to the civil disobedience movement at all. If we could say that with civil disobedience terrorism had disappeared entirely, and there was no further need for any special grant for the Intelligence Department, I would most gladly consent to a reduction of this amount. But we all know what is going on. I was talking this morning to the Deputy Inspector-General in charge of the Criminal Investigation

Department, Intelligence Branch, about the amount to be reduced under these items. He said he would be glad to reduce if he could, but with things as they were and new incidents continually occurring, *e.g.*, the three bombs thrown at Krishnagar the other day, he could not at present make any reduction.

3-30 p.m.

Terrorism is entirely different from the civil disobedience movement, and I am not prepared to accept a reduction of those items which are concerned with terrorism and have nothing to do with the civil disobedience movement, and I think the Council will agree with me in this matter.

Then Mr. J. N. Gupta made a speech in which he proposed an amendment of the Criminal Procedure Law of the country. No one is better aware than Mr. Gupta that it is not in the power of the local Government to amend this law, and I hardly think that this is a question which can be discussed in connection with the police budget.

As regards the strength of the police, he has told us that he has the intention of bringing forward a private Bill presumably to enable the village defence parties to take the place of the ordinary police. Well, I have not seen that Bill and I do not know what it is. If Mr. Gupta will find time to look into the Police Administration Report, he will find that the work done by these village defence parties has already been recognised. In paragraph 20 (*f*) of last year's Police Administration Report he will find it stated that in the course of the year under report there were 2,256 village defence parties in existence as against 2,205 in 1928, and that the work performed by them was recognised in all cases by the grant of suitable rewards. I gather Mr. Gupta wants these village defence parties to be placed on a statutory footing—if I am not right in my recollection, he will correct me. I do not know what difference it will make. However, that question will be taken up when we see Mr. Gupta's Bill. The point is that even supposing that statutory village defence parties will be an additional strength, I am very doubtful whether they will enable us in any way to reduce the existing police staff. In any case that will not be a reason for reducing the staff until the Bill has been passed and is in force.

As regards the strength of the force at present, I doubt myself whether any committee which might be appointed to examine it would advise that there is any room for retrenchment. As is known to those members of the Council who are already on the Police Standing Committee, all proposals included in the budget are placed before the Police Standing Committee which consists of members of this Council and are examined by them. At any rate, the present budget has been seen, examined and approved by an existing committee of this Council.

Mr. SYAMAPROSAD MOOKERJEE: May I know how many meetings of the Standing Committee were held during the last year?

The Hon'ble Mr. W. D. R. PRENTICE: I cannot say offhand. But I may say that Mr. Syamaprosad Mookerjee is a member of that committee and was the only member who was not present at the recent meeting which was held to consider the budget. Those who did attend were given and made full use of the opportunity of examining and criticising the budget.

However, as regards the strength of the force, during the last year we have had a rather serious situation in Bengal. Under the system in force in Bengal, following the recommendations of the Police Committee the reserves are spread over the whole province and are not concentrated in centres—I am not talking of the special police; I am talking of the ordinary police—and are included in the ordinary district staff. In the past on any occasion of emergency in one or two districts the reserves were immediately concentrated by calling on the other districts to give up their emergency forces and placing them at the disposal of the district requiring them. But last year when trouble arose in practically every district we had the greatest amount of difficulty in inducing the local officers of some districts to agree to reduce the strength in their districts. To my mind it is certain that the police forces in the province are insufficient for modern needs if trouble is general and not localised, and I am very doubtful myself, as I said when I introduced this demand, whether an examination of the conditions in Bengal by a committee of non-officials would not lead to an increase rather than a reduction. My own feeling is that they would be compelled to recognise the inadequacy of the existing staff and recommend an increase. I, therefore, cannot on behalf of Government accept this proposal. The proposal that has been made for a special committee will be examined, but I am stating my own view that when there is a Police Standing Committee already which includes elected members of this Council no other committee is required.

Mr. Gupta made some remarks about dishonesty and corruption in the police. I am more than sorry that he should have brought up this subject, because certainly one of the impressions left in my mind during my 30 years' service in Bengal is the enormous improvement that there has been in the police generally, and the annual reports and resolutions of Government on them show that this is so. With a force of 30,000 there must be some individual blacksheep, especially when temptations are continually being placed before them in some form or other. But leaving all that aside my own view is, and that is the impression of a very large section of the country, that there has been an enormous improvement in the force, and I am sorry that Mr. Gupta should have made such an allegation without recognising

that there has been such an improvement. I am only giving my own view but I think other members of the Council will support me.

Mr. Gupta has also referred to the changes which he proposes should be introduced in the procedure whereby more and more the executive work connected with the administration of the police force would be restored to the District Magistrate. All I can say myself is that I have been in charge of one or two districts, and I know the District Magistrate has already an excessive amount of work to do. I hope Mr. Gupta has not forgotten that as regards serious matters, the proceedings come to the Magistrate and in certain cases the consent and approval of the Magistrate must be taken on the orders which are to be passed. It is impossible for him to go into all the details of police work, and I hope the Council will be constrained to recognise that most of the details of the work of the police must be left in the hands of the administrative officers.

Mr. Satish Chandra Ray Chowdhury pressed for retrenchment in the number of officers in the Mymensingh district on the ground that there has been an unusual increase in police staff during recent years. This morning I went through the reports of Mymensingh for the years 1899, 1909, 1919 and 1929. Undoubtedly there has been a considerable increase in the strength of the force. Up to 1909 there were three gazetted officers, and for the remainder I will give you the figures of 1899. In 1899, there were 6 Inspectors, 69 sub-inspectors, 37 head constables, and 580 constables. The total police force for a district of 6,332 square miles was 695. In 1909 it was 911. In both these years there were only 19 thanas in the district. Is it surprising that in view of the account of the district as given by the District Administration Committee of 1913-14 and in view of the conditions in Eastern Bengal in the first decade of this century that Government should have tried to steadily increase the strength of the force in that area? I admit that the strength has now risen to 1,564 with the number of thanas increased to 51. But even now there is only one policeman for every 4 square miles of area and every 3,093 of population. I do not think myself that that can be said to be an excessive force for a district like Mymensingh.

3-45 p.m.

For though the area remains much the same the population has steadily increased. I do not know what the figures were at the recent Census, but between the 1891 and the 1921 Census there was an increase of between 40 and 45 per cent. in the population. As the population increases you must have some increase in the police force. The District Administration Committee pointed out years ago that

the police force was inefficient for the large area covered by the district of Mymensingh, and yet in spite of an increase in the population Babu Satish Chandra Ray Chowdhury now complains of the increase in the police force in Mymensingh! I am not certain that when the Kishoreganj riot occurred that Babu Satish Chandra Ray Chowdhury thought then that the police force was too large in Mymensingh. If my recollection is correct, Babu Satish Chandra Ray Chowdhury asked me for an extra police force to be sent to Mymensingh (Babu SATISH CHANDRA RAY CHOWDHURY: That was for a special occasion), yes, but after all a tremendous lot depends upon the police force which you have got permanently in the district. Only to-day I met an officer who spent some time in Mymensingh and I asked him whether the police force to which the hon'ble mover has referred was more than sufficient for that district. He said that as a matter of fact each of the Superintendents is in charge of an area larger than an average district and that most of them are overworked and that for troublous times the number of superior officers is not at all sufficient. Babu Satish Chandra Ray Chowdhury also referred to the Inspectors and suggested that their responsibilities were being reduced. I am very glad to say that Inspectors are a most valuable part of the machinery on which more and more reliance is being placed. I was talking to the Inspector-General of Police to-day who was Deputy Inspector-General of the Dacca Range for some years and he told me that all the Inspectors at the Mymensingh Range are overworked and instead of the number being reduced, it should be increased.

One speaker—I believe it was Mr. Gupta—proposed an abolition of the post of the Deputy Superintendent. I confess I am surprised to find that proposal coming from an Indian member of the Council, because Mr. Gupta must know that one of the objects of establishing the Provincial Police Service was to give Indians an increased opportunity of serving in the higher ranks of the police, as in the Bengal Civil Service (Executive). Mr. Gupta must know that there are listed posts in the police and unless you have a Provincial Service, how are you going to recruit your men for the listed posts in the Imperial Service? Mr. Gupta seems to think that he will be serving his country's interest by abolishing the Provincial Police Service. If that is so, then he is entitled to his own opinion. I for myself do not think that that is possible. Nor will it be an economy. For there are a certain number of inferior charges in Bengal which have to be filled by gazetted officers. They are either to be filled by Assistant Superintendents of Police—young recruits to the Imperial Police—or by members of the Provincial Police Service. If you abolish the Provincial Service it would mean that those posts will have to be filled by members of the Indian Police and that would be more expensive.

Sir, I am sorry I cannot accede to the request to reduce the amount of this demand. I have pointed out that the proposal of Mr. Syamaprosad Mookerjee is unacceptable, being based on wrong hypothesis. As regards the other proposals any one who examines the budget closely will find it quite impossible at the present moment to agree to any of the cuts proposed. As I said, however, when introducing the Police budget, as soon as we were assured that it is possible to reduce the staff, we shall unhesitatingly do so. We all recognise that the amount of the demand is large but considering the present state of affairs, it contains nothing that is not necessary.

The following motion of Babu Satish Chandra Ray Chowdhury was then put and lost:—

"That the demand of Rs. 1,29,21,600 under the head '26C.—District Executive Force' be reduced by Rs. 10 (to discuss the growth of expenditure under this head and the inefficiency of the force in dealing with ordinary crimes)."

The following motion of Mr. Shanti Shekhareswar Ray was then, by leave of the Council, withdrawn:—

"That the demand of Rs. 1,99,88,000 under the head '26—Police' be reduced by Rs. 10,00,000."

The following motion of Mr. Syamaprosad Mookerjee was then, by leave of the Council, withdrawn:—

"That the demand of Rs. 1,99,88,000 under the head '26.—Police' be reduced by Rs. 1,29,000."

The following motion was called but not moved:—

Mr. NARENDRA KUMAR BASU: "That the demand of Rs. 1,77,600 under the head '26C.—District Executive Force—Pay of Officers' be reduced by Rs. 17,760."

Mr. NARENDRA KUMAR BASU: I beg to move that the demand of Rs. 1,77,600 under the head "26C.—District Executive Force—Pay of Officers" be reduced by Re. 1 (misguided activities of the Jessore district police during June to October, 1930).

Sir, my object in moving this motion is as stated to draw attention to the misguided activities of the Jessore district police during June to October, 1930. I shall, however, be very brief as the time at our disposal is short. I shall not go into the facts at length. I shall only lay before you some heads of facts showing to the Council how the district police of Jessore behaved during a certain period last year. The first event to which I shall draw your attention is an event which occurred on the 10th of June, 1930. There is a gentleman in Jessore named Babu Ambika Charan Bose who was one of the

leaders of the Jessore Bar in his time, but has now retired. He has got several sons, one of whom is a doctor, another is a pleader and the vice-chairman of the district board and of the local municipality. The fault of this old gentleman was that he was the owner of a house which was in the occupation of one Emad Hossain of the District Intelligence Office and another fault was that he was one of the directors of a bank in Jessore which had occasioned to sue Mr. Esuff, the Deputy Superintendent of Police. What happened on the 10th of June is this: At 11 o'clock at night this man Esuff went into Ambika Babu's house who was then asleep and flashed an electric torch-light into his eyes. Ambika Babu woke up and was naturally very much surprised to see this man get into his room and that with a revolver in his hand. They began to search his house in order to find out some people who, they alleged, had created disturbances near the thana that afternoon. What they did was to get into the inner apartments where the ladies were on the plea of search. As a matter of fact the outer apartments were never searched nor the outhouses, nor the garage, etc. One of Ambika Babu's sons, named Bijay, who was vice-chairman of the district board and of the municipality, brought this to the notice of the District Magistrate the next morning. The District Magistrate sent for Esuff to come and see Mr. Bose at his (Magistrate's) house, and after a conversation had taken place the Magistrate asked Esuf to express his regret for his unwarrantable conduct. Would it be believed that Esuff flatly refused to do it, and he never did it. The next day Ambika Babu and his son gave notice to Esuff that after the expiry of the statutory period they would bring a civil suit for damages against him. Thereafter what happened was this: One of the sons of Ambika Babu, Profullya by name, a muktear, had to go to the thana on business when he was promptly arrested and kept in the lock-up. He was released after sometime, but on the 21st of August he was again arrested, supposed to be in connection with a bomb case which was started in Jessore. He was kept in *hajat* for a day and then he was let off. After sometime Profullya was again arrested in connection with some other alleged bomb case. In that connection he was kept in *hajat* for a whole week. So far as these bomb cases were concerned, I might tell the House that in the first case there were 21 persons arrested by the police. The police took remand after remand and after a considerable time sent up only three men themselves discharging the rest. All these three men were discharged by the District Magistrate, presumably there being no case against them. In the second case 20 persons were arrested and not one of them was sent up for months. After the police had sent up a final report all these men were discharged. Next, I shall bring two instances to the notice of the Government and I am sure that no responsible officer of Government would have anything but strong condemnation for these two incidents.

4 p.m.

I am quite sure that no responsible officer of Government in any position would have or possibly could have a word to say in defence of these two items. On the 5th September last the District Superintendent of Police, a man named Ellison, went to a place near Narail, a small village called Auria, and went to the house of an old gentleman, Professor Amrita Lal Roy, *ex*-Professor of Narail Victoria College, aged 75 years, a venerable man with a long flowing beard. This man Ellison goes up to Amrita Babu and asks where was the young man who was supposed to have been living with him. He said he did not know where the young man was or that he had not yet come back from college, or something of that kind. This man is a strapping young man in the junior rank of the Imperial Police Service. You will not perhaps believe me when I say that this man went up to the Professor, caught him by the beard and slapped him. That was on the 5th September. On the same day, either when he was going to Amrita Babu's place or coming back he was accompanied by one of his subordinates, named Purna Chandra Ghose, assistant sub-inspector of police. They reached a village called Singa Sulpur and brought out a gentleman called Ganendra Nath Mitter. He did not know what was the charge against him; but this man Purna covered his whole body with *gur* and cotton and paraded him throughout the village. On the same day at Lohagara, Ellison and Purna went to the house of a gentleman called Nalini Kanta Sen, aged 60, and practising as a *kaviraj*. Here again Nalini Babu was covered with oil and coal dust. I am sure that members of this House will agree with me that the gravity of the thing is tremendous.

The Hon'ble Mr. W. D. R. PRENTICE: May I ask if these occurrences were brought to the notice of the District Magistrate or any superior officer?

Mr. NARENDRA KUMAR BASU: I do not know. Then on the 19th September there was a third incident, in the house of one Nilmoni Poddar, where, under the personal supervision of Ellison, a number of pieces of furniture were destroyed. This matter was, I know, brought to the notice of the superior authorities but no action was taken. On the 4th September, 1930—I ought to have mentioned this earlier—the house of one Ganesh Chandra Ghose was searched and the assistant sub-inspector, the same Purna, took away a gold chain belonging to a lady, the wife of the brother of Ganesh. This matter was reported to the District Magistrate but the gold chain has not been returned.

I will now deal very shortly with the facts of another story. In July one Bireswar Ray Chaudhuri instituted a civil suit against Purna. He was called to the thana and threatened. On the 5th September

Sisir Babu, a pleader and a brother of Bireswar, was arrested in the Bar library. His *pugree* was tied round his waist; he was detained in the *kajat* and was only released when Ellison and Purna were informed that the civil suit against Purna had been withdrawn. Then the climax of the thing is that on the 22nd August last one Babu Chandra Kumar Banerji, one of the seniormost pleaders of the district, a man widely respected by all, went before the District Magistrate to argue a case. And while he was coming out of the Collector's room he was arrested; a rope was tied round his waist and he was paraded in front of the civil court and then taken home and again brought back to the thana and was released after a considerable time on personal recognisance, and he was so paraded and marched for a distance of over two miles; and you will be surprised to hear that no case has as yet been instituted against him. I submit all these facts, if I may say so, are wicked enough to draw the attention even of the Hon'ble Mr. Prentice.

The Hon'ble Mr. W. D. R. PRENTICE: May I ask if he has any knowledge that these matters save one were brought to the notice of any superior authority?

Mr. NARENDRA KUMAR BASU: I do not know personally, if this was done, but so far as Chandra Babu's case is concerned, I may say that it was brought to the notice of the District Magistrate. It was reported in almost all the newspapers in Calcutta; it was criticised and remarked upon by all the newspapers—not in the *Statesman*. Even if the District Magistrate's attention was not drawn to it officially, I say he ought to have known it.

Mr. R. MAITI: Mr. President, Sir, I beg to move that the demand of Rs. 87,01,600 under the head "26C.—District Executive force—Police force" be reduced by Rs. 1,000 (to raise a discussion on the excesses committed by the police in the district of Midnapore).

Sir, the main object which had led me to propose and move this cut is to place before this House a series of instances showing how the executive police force in Midnapore acted in a most high-handed manner during the last ten months by committing excesses on people under a false plea of preserving law and order in connection with the civil disobedience movement.

Sir, I do not stand here to discuss the merits or demerits of the civil disobedience movement, but I will merely refer to the methods adopted by the police in suppressing this movement.

Sir, I hail from a district where the police *zoolum* had gone to such excesses that its parallel could not be found in any other parts of Bengal, nay in India. Many men of our district have fallen victims

to the police atrocities and it will take days and days together to narrate those unfortunate incidents with all their minutest details. But as I have a limited time at my disposal, I will just content myself by placing only a few cases which will show how these pet children of the Government behaved with people who were all pledged to the creed of perfect non-violence.

Sir, in my subdivision of Contai the salt campaign was started on the 6th of April, 1930, and various centres were opened at Pichaboni, Subarnadighi, Kholakhali and at different other places. At Pichaboni some volunteers erected a small shed, dug pits and started preparing salt. People from neighbouring villages including a number of women assembled in hundreds and joined the salt campaign. As a matter of fact, they were bent upon breaking the salt law after due notice to the proper authorities. In order to disperse them the police began to charge the law-breakers with *lathies*, canes and fists resulting in many cases in fracture of bones and bleeding injuries, though they were all unarmed and remained non-violent all throughout. Sir, this is not all. Police pulled down their shed, broke the salt-preparing utensils, destroyed the meals of the *satyagrahis* by treading upon them with booted legs, chased them with *lathies* and gave no shelter to those who were injured, nor spared those who came to render first-aid to the injured.

One Jhareswar Manjhi, a pandit of a primary school, who is alleged to have helped the *satyagrahis* with food and shelter, had the misfortune of his house being looted by the police and his granary containing about 150 maunds of paddy being set on fire. Subsequently the grant to his school was stopped by the appointed official chairman. Atrocities committed there by the police can better be imagined than described. All motor services on the road were stopped; people were not allowed to pass that way on the public road; even innocent persons were indiscriminately assaulted. Sir, the whole place looked, as it were, a military camp in a great battle with Maulvi Abdul Gauffar, Subdivisional Officer of Contai, and Mr. Shamsodoha, Assistant Superintendent of Police, Contai, at the head of the police force.

Sir, unfortunately cholera broke out in that locality. A doctor was immediately deputed to the spot with a box of necessary drugs by the non-official elected chairman of the district board to prevent the spread of the epidemic. But the doctor met with an unfortunate incident on his arrival there. He was assaulted by the police, his medicine box was broken to pieces and he was not allowed to stop there for a moment and had to be driven away ultimately from the place. I do not know, Sir, whether sending a doctor for humanitarian work by the non-official elected chairman was one of the factors in superseding the district board of Midnapore and appointing the District Magistrate, Mr. Peddie, as its chairman.

Sir, I now come to the *satyagrahi* camp at Kholakhali. Here the *satyagrahis* were also charged with *lathies* by the police. On the 7th of May, 1930, a batch of about 100 women hoisted a tri-coloured national flag. The police attacked them and many were wounded by the police *lathies* and five of them were so severely beaten that they had to be removed to the hospital for treatment. One Padma Dasi lay on the spot senseless for some time.

Sir, on the 24th of May last the police raided the village of Subarnadighi and looted the houses of the villagers. A young woman named Ambu Dasi, about 18 years old, who was then in an advanced stage of pregnancy, was belaboured with *lathies* when there was no male member in her house and she fell senseless. My hon'ble friend Mr. J. N. Basu, who went to this locality and other places along with some other gentlemen for purposes of holding inquiries into the police excesses, had the opportunity of personally hearing from Ambu Dasi her complaints. What she stated before them was simply staggering. She complained of her breasts being twisted and of her being kicked on her hips.

Sir, here I will submit how the members of this inquiry committee were treated by the Subdivisional Officer. Mr. J. N. Basu, the recognised leader of the liberal party, member of the Round Table Conference and a sworn co-operator throughout his life, was the president of this committee. Members of this House will be surprised to hear that the Subdivisional Officer went so far as to say that Mr. J. N. Basu and his friends were inciting the people and that he put the members under arrest though Mr. J. N. Basu and his party protested saying repeatedly that the members had come there to perform the function of an independent inquiry committee only and nothing else. However, they were released some time after. After all these inquiries they submitted their reports to the Government as well. As these reports cited specific cases of police vandalism, they were not allowed by the Government to see the light of the world. They were at once proscribed. No newspaper dared to publish it for fear of prosecution and no press dared to print it for fear of confiscation, though they were ultimately printed in the form of a booklet called the "Law and order in Midnapore, 1930." But how long they continued its existence before the public? It was but for a short time. Their sale was at once stopped by the Government notification in the *Calcutta Gazette*. This showed a reign of terror where people and papers were not allowed to give free expression to their feeling against the misdeeds of the authorities. Such an intolerable situation was created solely by the police rule which may be styled as *goonda* rule. However, this report was extensively read out in the Legislative Assembly by Mr. K. C. Neogi, an hon'ble member of that body who was also a member of this inquiry committee. There he challenged the Government for prosecuting him if the allegations were false.

Did the Government take up the challenge or did the Government order any inquiry to be made into these allegations by independent persons? No, Sir, nothing of the kind was done. They simply denied the charges probably on the authority of a report submitted by the very officers who were accused of those very charges. It is no wonder, therefore, that Mr. Neogi had to declare in the Legislative Assembly that such Government reports are manufactured in the factory of lies.

Sir, it is no use multiplying instances after instances as there are too many throughout the whole district of Midnapore. Suffice to say that many villages were looted by the police and many valuable articles, *viz.*, cash, gold and silver ornaments, etc., were removed. In many cases properties were destroyed and the inmates of the house were mercilessly beaten. Hindu idols were desecrated and destroyed. Indiscriminate assault, loot and arson were the order of the day. Villagers had to desert their respective houses in a state of panic with females and children. Then came the unprovoked police firing on the unarmed villagers at Pratapdighi, Balishahi, Khirai and at other places, resulting in loss of many lives. In all these cases the people carried no arms, no *lathies*, not even a stick; on the other hand, they were perfectly non-violent. But the officials concerned take shelter under the convenient story of the police being attacked by the crowd with brick-bats. This theory of brick-bats is always ready at hand in all such cases. But the authorities do usually forget the fact that in a remote interior brick-bats are a rare commodity. Existence of the brick-bats in the interior of a village may be in the imagination of the officials concerned but we who have personal knowledge of the villages in the interior far remote from the subdivisional headquarters, find it too big a pill to swallow. Had such things happened in a free country, the officers concerned would at once have been hauled up and indicted for such indiscriminate firing on unarmed people without any warning. But such things are possible in this country where the executive heads of the Government are not at all responsible to the people. Thus we have no cause to grieve if the head of my district is dubbed by the Government with the title of C.I.E. in recognition of his so-called good services for trying to suppress the civil disobedience movement by measures of such repressive policy as is calculated to arouse tremendous feeling among people in any civilised country and there is also nothing to be wondered at if the police who did such things at the connivance of the authorities are extolled to the seventh heaven as we say in Bengali!

Sir, it is sickening to relate the stories of the police atrocities in the district. People who wore *khaddar* and Gandhi cap were beaten without rhyme or reason and were subjected to various kinds of ill-treatment at the hands of the authorities. None was safe while travelling on the road for private business purposes. Whatever little money or valuables they used to carry with them were at once snatched

away by the police. Plenty of people could be found even now who still bear traces of marks of injuries appearing on their persons.

[Here the time-limit under the head "26.—Police" having been reached the member resumed his seat.]

4-15 p.m.

The motion of Mr. Narendra Kumar Basu was then put and a division taken with the following result:—

AYES.

Ali, Maulvi Hassan.
Bakah, Maulvi Syed Majid.
Banerji, Mr. P.
Bannerjee, Babu Jitendralal.
Basu, Babu Jatindra Nath.
Basu, Mr. Narendra Kumar.
Bose, Mr. S. M.
Chaudhuri, Babu Kisheri Mohan.
Chaudhuri, Dr. Jogendra Chandra.
Choudhury, Maulvi Nural Absar.
Chowdhury, Maulvi Abdul Ghani.
Dutt, Rai Bahadur Dr. Haridhan.
Guha, Babu Profulla Kumar.
Gupta, Mr. J. N.
Hoque, Kazi Emdadul.
Hossain, Maulvi Muhammad.
Lal Muhammad, Haji.
Maiti, Mr. R.
Mittra, Babu Sarat Chandra.
Mookerjee, Mr. Syamaprasad.
Mukhopadhaya, Rai Sahib Sarat Chandra.
Nag, Babu Suk Lal.
Poddar, Mr. Ananda Mohan.
Rai Mahasai, Munindra Deb.
Ray, Babu Khetter Mahan.
Ray, Babu Nagendra Narayan.
Ray, Maharaja Jagadish Nath, of Dinajpur.
Ray, Mr. Shanti Shekhareswar.
Ray Chowdhury, Babu Satish Chandra.
Rout, Babu Hoseni.
Ray, Babu Satyendra Nath.
Ray, Mr. Sarat Kumar.
Ray Choudhuri, Babu Hem Chandra.
Sahana, Babu Satya Kinkar.
Samad, Maulvi Abdus.
Singh, Srijut Taj Bahadur.

NOES.

Bakah, Maulvi Shaik Rahim.
Bal, Babu Lalit Kumar.
Bal, Mr. Sarat Chandra.
Barma, Rai Sahib Panchanan.
Basir Uddin, Maulvi Mohammad.
Blandy, Mr. E. N.
Burn, Mr. H. H.
Chaudhuri, Khan Bahadur Maulvi Alimuzzaman.
Chaudhuri, Khan Bahadur Maulvi Nafizur Rahman.
Chaudhuri, Maulvi Syed Osman Haider.
Chowdhury, Haji Badi Ahmed.
Clark, Mr. I. A.
Cohen, Mr. D. J.
Coppinger, Major-General W. V.
Cooper, Mr. C. G.
Dain, Mr. G. R.
Dash, Mr. A. J.
Eassen, Mr. G. A.
Eusufji, Maulvi Nur Rahman Khan.
Faroqui, the Hon'ble Khan Bahadur K. G. M.
Fawcus, Mr. L. R.
Forrester, Mr. J. Campbell.
Ganguli, Rai Bahadur Sunil Kumar.
Ghuznavi, the Hon'ble Alhadj Sir Abdelkerim.
Gilchrist, Mr. R. N.
Gordon, Mr. A. D.
Gurner, Mr. C. W.
Haque, Khan Bahadur Maulvi Azizul.
Huq, Khan Sahib Maulvi Bazlul.
Hussain, Maulvi Latafat.
Hutchings, Mr. R. H.
Khan, Khan Sahib Maulvi Muazzam Ali.
Khan, Maulvi Tamizuddin.
Khan, Mr. Razaur Rahman.
Luke, Mr. H. R.
Marr, the Hon'ble Mr. A.
McCluskie, Mr. S. T.
Miller, Mr. G. C.
Mitter, the Hon'ble Sir Provash Chunder.
Nag, Mr. K. C.
Nag, Reverend B. A.
Nazimuddin, the Hon'ble Mr. Khwaja.
Philpot, Mr. H. C. V.
Prentice, the Hon'ble Mr. W. D. R.
Raheem, Mr. A.
Rahman, Mr. A. F.
Rahman, Mr. A. F. M. Abdur-
Reid, Mr. R. N.
Ray, Babu Jitendra Nath.
Roy, Sir. Saileswar Singh.
Ray, the Hon'ble Mr. Bijoy Prasad Singh
Sadatullah, Maulvi Muhammad.
Sarkar, Sir Jadunath.
Sarkar, Rai Sahib Rebati Mohan.
Shah, Maulvi Abdul Hamid.
Sulaiman, Maulvi Muhammad.
Stapleton, Mr. H. E.
Stronach, Mr. K. F. G.
Travers, Mr. W. L.
Wordsworth, Mr. W. C.

The Ayes being 36 and the Noes 60 the motion was lost.

The motion of Mr. R. Maiti was then put and lost.

The motion that a sum of Rs. 1,99,88,000 be granted for expenditure under the head "26.—Police" was then put and agreed to.

The following motions under the head "26.—Police" were not called owing to the expiry of the time-limit:—

Maulvi TAMIZUDDIN KHAN: "That the demand of Rs. 10,20,000 under the head '26C.—District Executive Force—Pay of Establishment —Assistant Sub-Inspectors and Head Constables' be reduced by Rs. 1,000 (recruitment of Assistant Sub-Inspectors by way of direct recruitment)."

Mr. NARENDRA KUMAR BASU: "That the demand of Rs. 3,26,766 under the head '26C.—District Executive Force—Temporary District Intelligence Staff' be reduced by Rs. 1,00,000."

Maulvi SYED JALALUDDIN HASHEMY: "That the demand of Rs. 1,29,21,600 under the head '26C.—District Executive Force' be reduced by Rs. 100 (police excesses in mufassal and action in encouraging drink evil before excise shops)."

Maulvi ABDUS SAMAD: "That the demand of Rs. 1,29,21,600 under the head '26C.—District Executive Force' be reduced by Rs. 100 (to criticise the deliberate unwillingness of the Police to cope with communal riots)."

Mr. MUKUNDA BEHARY MULLICK: "That the demand of Rs. 1,29,21,600 under the head '26C.—District Executive Force' be reduced by Re. 1 (claims of the candidates of the Namasudra community and other backward communities for appointment in the Police Force as Sub-Inspectors, Assistant Sub-Inspectors, head constables and constables and to suggest that a definite number from amongst these candidates be annually appointed)."

Babu SATYENDRA NATH ROY: "That the demand of Rs. 1,29,21,600 under the head '26C.—District Executive Force' be reduced by Re. 1 (practice of putting a rope round the waist of undertrial prisoners when conducting them from one place to another)."

Babu KISHORI MOHAN CHAUDHURI: "That the demand of Rs. 59,000 under the head '26D.—Police Training School (Calcutta Police)' be refused."

Mr. SARAT CHANDRA BAL: "That the demand of Rs. 2,71,400 under the head '26D.—Police Training School' be reduced by Rs. 1 (disadvantages of the recruits of the backward classes at training schools)."

Mr. SARAT CHANDRA BAL: "That the demand of Rs. 3,90,000 under the head '26E.—Special Police' be reduced by Rs. 1 (policy with reference to the backward classes)."

Babu KISHORI MOHAN CHAUDHURI: "That the demand of Rs. 7,90,500 under the head '26F.—Railway Police' be refused."

MUNINDRA DEB RAI MAHASAI: "That the demand of Rs. 7,90,500 under the head '26F.—Railway Police' be reduced by Rs. 100 (to draw attention to the inefficiency of the Railway police)."

MUNINDRA DEB RAI MAHASAI: "That the demand of Rs. 33,100 under the head '26G.—Criminal Investigation Department—Temporary Officers' be refused."

MUNINDRA DEB RAI MAHASAI: "That the demand of Rs. 3,46,505 under the head '26G.—Criminal Investigation Department—Temporary force' be refused."

Babu JITENDRALAL BANNERJEE, Maulvi SYED MAJID BAKSH and MUNINDRA DEB RAI MAHASAI: "That the demand of Rs. 1,25,000 under the head '26G.—Criminal Investigation Department—Secret Service Money' be refused."

Maulvi HASSAN ALI and Mr. P. BANERJI: "That the demand of Rs. 11,85,000 under head '26G.—Criminal Investigation Department' be refused."

Maulvi SYED JALALUDDIN HASHEMY: "That the demand of Rs. 11,85,000 under the head '26G.—Criminal Investigation Department' be reduced by Rs. 100 (to criticise the department)."

Rai Bahadur KESHAB CHANDRA BANERJI: "That the demand of Rs. 11,85,000 under the head '26G.—Criminal Investigation Department' be reduced by Re. 1 (inefficiency of the service and failure to prevent organised violence)."

Babu SATISH CHANDRA RAY CHOWDHURY: "That the demand of Rs. 11,85,000 under the head '26G.—Criminal Investigation Department' be reduced by Re. 1 (to discuss the necessity of maintaining the department in its present form and at its present

strength and the method of investigation followed by it especially in political cases)."

Babu SATYENDRA NATH ROY: "That the demand of Rs. 11,85,000 under the head '26G.—Criminal Investigation Department' be reduced by Re. 1 (inefficiency specially in not being able to prevent dacoities in the mufassal)."

Maulvi SYED JALALUDDIN HASHEMY: "That the demand of Rs. 1,99,88,000 under the head '26.—Police' be reduced by Rs. 100 (on the Hon'ble Member in charge of the Police Department for his attack on the Leader of the Bengal Congress by calling him dishonest)."

MUNINDRA DEB RAI MAHASAI: "That the demand of Rs. 1,99,88,000 under the head '26.—Police' be reduced by Rs. 100 (to raise a discussion on the police atrocities during 1930-31 and also the inefficiency of the police in the detection of crime and in the matter of affording protection to abducted women)."

Khan Sahib Maulvi BAZLUL HUQ: "That the demand of Rs. 1,99,88,000 under the head '26.—Police' be reduced by Re. 1 (to draw attention to the way of promoting assistant sub-inspectors to the rank of sub-inspector and sub-inspectors to the rank of inspector)."

Maulvi MUHAMMAD HOSSAIN: "That the demand of Rs. 1,99,88,000 under the head '26.—Police' be reduced by Re. 1 (high handedness of the police)."

Mr. SARAT CHANDRA BAL: "That the demand of Rs. 1,99,88,000 under the head '26.—Police' be reduced by Re. 1 (disadvantages and grievances of the recruits under training at the Sardah Training School)."

Maulvi MUHAMMAD FAZLULLAH: "That the demand of Rs. 1,99,88,000 under the head '26.—Police' be reduced by Re. 1 (to criticise the conduct of constables on duty in the Railway stations at Howrah and Sealdah stations in receiving illegal gratifications from the hackney carriage and motor car drivers)."

MUNINDRA DEB RAI MAHASAI: "That the demand of Rs. 1,99,88,000 under the head '26.—Police' be reduced by Re. 1 (to discuss the general policy of the Police Department)."

Maulvi HASSAN ALI: "That the demand of Rs. 1,99,88,000 under the head '26.—Police' be reduced by Re. 1 (to discuss the general policy and the police excesses in the country)."

27.—Ports and Pilotage.

The Hon'ble Mr. A. MARR: On the recommendation of His Excellency the Governor I beg to move that a sum of Rs. 4,39,000 be granted for expenditure under the head "27.—Ports and Pilotage."

4-30 p.m.

Maulvi MUHAMMAD FAZLULLAH: I beg to move that the demand of Rs. 1,42,500 under the head "27A.—Ports and Pilotage—Charges for polled launches, building, repairs and outfit of launches" be reduced by Re. 1 (to draw attention of Government to the necessity of training Indian apprentices in ship-building in the Government Dockyard at Narayanganj).

General education has hitherto failed to give sufficient means of livelihood to the vast number of young educated people and the result has been anything but satisfactory. Host of young educated people are daily swelling the number of the unemployed and this has led to discontent and political agitation. Competent authorities are unanimous that technical and industrial education should be given to the people so that they may have sufficient means of livelihood and keep themselves aloof from dangerous political agitation which is causing so much trouble to the public and Government and sapping the foundation of the Empire. Government have hitherto excused themselves that they cannot undertake any big scheme for technical and industrial education for want of funds. We realise their difficulty. But, Sir, it appears that without incurring much expenditure they can help to a certain extent the cause of technical and industrial education if they utilize the existing facilities, they have at their disposal. Thus, Sir, there is a Government Dockyard at Narayanganj. A very large number of Government launches, both of the Provincial as well as the Central Government, are repaired and thoroughly overhauled in this dockyard. Certain friends from Narayanganj also tell us that the dockyard is of such a type, size and dimension that even new vessels of medium size can be constructed there. Government have also got sufficient number of technical officers. If Government make arrangement for taking educated apprentices in the dockyard, they can help the cause of technical education to a certain extent even with the present facilities in the dockyard.

By this motion, Sir, I do not propose that Government should undertake a scheme involving an extra cost to them—my intention is that they should draw up a scheme in consultation with their technical officers to see whether the system of training apprentices paid or unpaid is feasible. There is so much demand among the people for technical and nautical education that I can assure the Hon'ble the Marine

Member that large number of apprentices even unpaid will come forward if a simple advertisement or notice is published in papers that Government intend to take such apprentices in the dockyard.

Mr. E. N. BLANDY: Mr. President, Sir, I must confess that the idea of starting a training class for Indian apprentices at the Narayanganj dockyard had not presented itself to Government, and we are grateful to the mover for having suggested it. There are, however, certain practical difficulties in the way. In the first place, it is not correct to say that we have already built several craft. As a matter of fact we have not yet built one. There is, however, a certain amount of fairly important reconditioning and repair work going on at Narayanganj, and it is possible that this work might provide opportunities of valuable training for apprentices. That is one point which will have to be examined. A further point is that at present we have got only one gazetted officer in charge of the dockyard there and he is already fully worked and will probably not be able to devote enough attention to the possible apprentices in order to give them such a training as Government would naturally desire them to have, if they start a Government apprentice class.

Then there is the further question of expense. We do not know what it will cost to start such a class. However, as the idea has been put to us, Government will be glad to go into details and see if it will be possible, from the financial point of view and also from the practical point of view, to start a class where they will be able to impart adequate instruction to apprentices with the means at their disposal. I would therefore request the mover to withdraw the motion.

The motion of Maulvi Muhammad Fazlullah was then, by leave of the Council, withdrawn.

MUNINDRA DEB RAI MAHASAI: I beg to move that the demand of Rs. 4,39,000 under the head "27.—Ports and Pilotage" be reduced by Rs. 101 (to urge upon the local Government to point out to the Government of India to intervene in the present rate war between coastal steamship companies running between the port of Chittagong and other places).

Sir, I am fully aware that the subject matter of my motion do not fall under the purview of the Government of Bengal. But as a demand for grant has been made in this Council under the head "Ports and Pilotage," I thought this to be an opportunity of ventilating our grievance in this Council, so that it may be brought to the notice of the Government of India.

Sir, it is a matter of great regret that we have no place in the mercantile marine of the country. A few lascars here and there was all that an Indian could aspire to till the training in the *Dufferin* was

inaugurated. Sir, the cadets of the *Dufferin* for whom so many lakhs of rupees have been spent have no place in the British mercantile marine. Sometime ago, the East Indian Section of the London Chamber of Commerce declared that these cadets "must look to Indian companies for such employment." But where are so many Indian companies to provide employments? Even the coastal trades are in the hands of non-Indians. Sir, the coastal trade of the country is the monopoly of the British Shipping Companies who did not so long entertain a single Indian even as their apprentice upon their steamers and who only sometime ago agreed under pressure to take a few apprentices as occasion arose. In the face of such racial discrimination, the future employment of Indians in the mercantile marine and the development of Indian shipping in the coastal trade of India is not very hopeful. The shipping business is not new to us but it has been strangled by these British ships in the course of the last century and a half. I need not hark back to the hoary past. Sir, in addition to the great volume of India's internal trade, there is a considerable coasting trade from port to port in British India. The greater portion of this trade is between Burma and the ports on the western and eastern shores of the Bay of Bengal, specially Calcutta and Chittagong. The trade is mostly in Indian merchandise. The coastal trade is now almost the monopoly of the European steamship companies.

Sir, whenever any Indian steamship company comes to compete, the European companies reduce their rates to an incredible amount till the Indian companies are compelled to close their concerns. The European companies, being left sole masters in the field, charge high rates to compensate their loss. This unfair rate war is telling heavily on the Indian concerns. Reservation of the coastal trade for Indians may not be possible in the present constitution of the country, but the rate war which is smothering the nascent Indian shipping industry may be stopped.

With these words I commend my motion to the acceptance of the House.

Khan Bahadur Maulvi AZIZUL HAQUE: I will not charge my friend with plagiarism, but it seems to me that his motion is exactly the same resolution which I moved in this Council last year. If I rise to support this motion, it is for the purpose of ascertaining what has transpired since then between the Government of Bengal and the Government of India to whom copies of the proceedings were forwarded, and whether the Government of India have been pleased to send a reply. As I understood it last year, the Hon'ble Mr. Marr promised that he

would refer the proceedings to the Government of India, and I do not know what has since then occurred. I narrated all the facts about the coastal rate of the Chittagong steamship companies. I find that the Railway Rates Committee and some other committees considered the matter. So with a view to ascertaining what has since transpired I support this motion.

Babu SATISH CHANDRA ROY CHOWDHURY: I support this motion of my friend Munindra Deb Rai Mahasai. Of all the motions that have been tabled by my friend I think it is one of very great importance, although this Council has got no direct authority in the matter. I am fully convinced that the importance of the subject will be fully realised by all parties who are lovers of Indian indigenous enterprises. In my part of the country there are two companies—the India General Steam Navigation Company is one and Abdul Bari Chowdhury Company of Chittagong is another. In my part of the subdivision there are a large number of people who go to Rangoon every year for the purpose of business and trade and I may fairly put it that there are as many as hundred passengers going every day for two months from one station alone. If you have an idea of the total number of persons who go from my part of the country to Chittagong and Rangoon, you will realise the importance of the subject to the people of this country.

The passenger fare was Rs. 16 by the I. G. S. N. Company, but when this particular Indian Company—I mean the Abdul Bari Chowdhury Company—came into existence, they lowered the rate to Rs. 12, then to Rs. 10, then to Rs. 4 and then nothing was charged: on the contrary those who came to buy tickets were given *rashagollas*, i.e., sweetmeats, and those who canvassed were given Re. 1 per head of passenger secured. The I. G. S. N. Company did not stop there, they appointed a paid agent on Rs. 50 a month in every village who was expected to bring as many passengers as possible. In this way the India General Steam Navigation Company were fighting the Indian company. It is extremely regrettable that Government should allow this rate war to go on, to the detriment of our national enterprises. I think, Sir, that under these circumstances this rate war must be stopped at any cost and a certain minimum rate should be fixed in order to afford a fair field for indigenous enterprises in the coastal shipping. The Government of Bengal therefore is expected to make the necessary recommendations.

5 p.m.

The motion of Munindra Deb Rai Mahasai was then, by leave of the Council, withdrawn.

The motion that a sum of Rs. 4,39,000 be granted for expenditure under the head "27.—Ports and Pilotage" was then put and agreed to.

The time-limit having been reached the following motions under the head "27.—Ports and Pilotage" were not called:—

Maulvi MUHAMMAD FAZLULLAH: "That the demand of Rs. 4,39,000 under the head '27.—Ports and Pilotage' be reduced by Rs. 100 (to draw attention to the services under the Port Trust, Calcutta, by recruitment of cadets from the Training Ship *Dufferin*)."

Maulvi MUHAMMAD FAZLULLAH: "That the demand of Rs. 4,39,000 under the head '27.—Ports and Pilotage' be reduced to Rs. 100 (to protest against the inadequate and narrow latrines, inadequate lights, water difficulties, want of separate latrine arrangement of inter and 3rd class female passengers, supply of unwholsome food and other inconveniences of the passengers on inland vessels)."

MUNINDRA DEB RAI MAHASAI: "That the demand of Rs. 4,39,000 under the head '27.—Ports and Pilotage' be reduced by Rs. 10 (efforts should be made for gradually Indianising the Pilot Service)."

Maulvi MUHAMMAD FAZLULLAH: "That the demand of Rs. 4,39,000 under the head '27.—Ports and Pilotage' be reduced by Re. 1 (to draw attention to the necessity of permitting inter and 3rd class female passengers to enter steamers by the gates or passages intended for 1st and 2nd class passengers)."

Maulvi MUHAMMAD FAZLULLAH: "That the demand of Rs. 4,39,000 under the head '27.—Ports and Pilotage' be reduced by Re. 1 (to stop rate cuttings by the India General Navigation and River Steam Navigation Companies against Indian steam and motor launch owners in Bengal, specially in Dacca Division)."

30.—Scientific Departments.

The Hon'ble Mr. A. MARR: Sir, on the recommendation of His Excellency the Governor I beg to move that a sum of Rs. 30,000 be granted for expenditure under the head "30.—Scientific Departments."

Mr. SARAT KUMAR ROY: I beg to move that the demand of Rs. 30,000 under the head "30.—Scientific Departments" be reduced by Re. 1 (necessity for providing a research scholar to the Varendra Research Society).

Sir, the Varendra Research Society was established in Rajshahi as far back as 1910 by a small band of men of whom my humble self formed one. It was the first of its kind started by private enterprise in Bengal, dealing with researches in art, archæology and culture of Bengal. It was the first to collect specimens of art and antiquities of Bengal and to point out to the literary world the existence of a distinct school of art in Bengal developed during the Pala period of its history. It was also the first to work out scientifically that period of the history of Bengal and to publish these researches in the form of a monograph named "Gandarajamala" in 1913. It was also one of the first to make researches on the Races of India, the result of which was embodied in the book called "Indo-Aryan Races" published in 1916. These works were acknowledged, both by eminent European and Indian scholars, as of very high standards and also attracted the attention of the Archæological Department in India.

When gradually the collections, such as stone and terracotta sculptures, bronzes, architectural pieces, stone inscriptions, copper-plate-grants, coins, manuscripts, printed books, photographs, and publications, etc., became large, a suitable building was erected to house them properly. The foundation stone of this building was laid by late Lord Carmichael who went all the way to Rajshahi specially for the purpose in 1916, and the building and the museum, when ready, was opened by Lord Ronaldshay in 1919. As further tokens of appreciation and encouragement the Government bestowed recurring grants both for the upkeep of the museum and for the maintenance of a curator————

The Hon'ble Mr. A. MARR: On a point of order, Sir, I am afraid as the time is very short, I think it would be better if we are permitted to explain why this sum is required.

Mr. PRESIDENT: Yes, you can do that.

Mr. A. J. DASH: Sir, I submit that Mr. Roy is a gentleman who is very hard to please, the Varendra Research Society to which Mr. Roy refers receives a very heavy grant from Government. Three scholarships have been granted to it during the last nine years, and he demands another scholarship without taking the trouble of applying to the Director of Public Instruction. The proper course for him would be to make an application to the Director of Public Instruction, if he desires a scholarship, and he will no doubt consider it.

The motion of Mr. Sarat Kumar Roy was then, by leave of the Council, withdrawn.

The motion that a sum of Rs. 30,000 be granted for expenditure under the head "30.—Scientific Departments" was then put and agreed to.

31.—Education (Reserved).

The Hon'ble Mr. A. MARR: On the recommendation of His Excellency the Governor, I beg to move that a sum of Rs. 11,70,000 be granted for expenditure under the head "31.—Education (Reserved)."

Mr. SHANTI SHEKHARESWAR RAY: Sir, I beg to move that the demand of Rs. 11,70,000 under the head "31.—Education (Reserved)" be reduced by Rs. 100 (anti-national education policy).

Sir, I do not know why Mr. Cooper looks at me in that way. In season and out of season he expresses his sympathy for the Indian masses, and I think he will sympathise with me if I take up the case of the European boys.

Sir, I want to draw the attention of the Government to a very unfair arrangement. Under the present constitution European education is a reserved subject. In Bengal it has been in charge of a European Member of the Executive Council. We, Indian members on this side of the house can in no way influence the policy of the department nor have we any say in the selection of the person who is in charge of the department. On the other hand there is a solid block of 18 European and Anglo-Indian elected members, let alone the European members on the official benches, who pratically dominate the educational policy of the Government so far as Indian education is concerned. I submit, Sir, that if the European members cannot trust us, they should not also meddle with our affairs. I do not see any reason why if the Hon'ble Mr. Khwaja Nazimuddin, a Moslem, can be depended upon to look after Hindu interest, he cannot be trusted to shape the policy of European education too. This invidious distinction in the matter of European and Indian education is calculated to have a far-reaching effect. It tends to divide us. I ask the Government and the European members to abandon this policy of distrust. I hope, Sir, that when the Council assembles next year to discuss the budget, the House will find this invidious distinction gone forever.

The policy of the Government seems to be a policy of isolation of the children of Europeans and Anglo-Indians. I suggest that schools meant for Europeans and Anglo-Indians should be thrown open to students of all communities. This will lead to a better understanding among the rising generations of all communities. Sir, I also avail myself of this opportunity to lay stress on the desirability of making better provision in the existing institutions for the teaching of the vernacular of the province. This is neglected at present.

Sir, in looking at the details under this head, I find a sum allotted to the Hazaribagh Reformatory School. I speak, subject to correction, but my impression is that children convicted of some offence or other are sent to this institution. If this is correct, then I do not see why the grant in respect of the school should not be included under the demand for jails.

Revd. B. A. NAG: I beg to move that the demand of Rs. 11,70,000 under the head "31.—Education (Reserved)" be reduced by Re. 1 (wrong policy pursued).

I do not object at all to the demand made for European and Anglo-Indian education. It is well understood that if Government is to give protection to particular culture of minorities and also to help to educate the children of the minorities they must be prepared to spend proportionately more money and the community which itself raises about Rs. 29½ lakhs for the education of its children, a grant of Rs. 11 lakhs is not disproportionate. But I object to that policy in the reserved education from another point of view. The separateness in education creates what might be called either superiority complex or inferiority complex. Whatever it is, it is bad for them. In the tender age of the children they come to realise that they have a different standard whether it is superior or inferior it endangers their future and that is one of my objections. That danger is increased by the fact that in the schools for Europeans or Anglo-Indians they read more about English history than about Indian history, they read more about the towns of Europe than about the towns of India, and they do not study the vernacular of the place. We find that Colonel Gidney, the recognised leader of the Anglo-Indian community, the representative of that community to the Assembly and to the Round Table Conference, said that this European education alienates the European and Anglo-Indian communities from the Indian community. In short, he says, we are leading the two people poles apart, and that is very dangerous for the future constitution of India. Secondly, this European and Anglo-Indian education generally ends in school; it does not seem to go any further. I would have been very unwilling to make such a statement as Mr. Stapleton is shaking his head, but I read from the report of the Director of Public Instruction that a feature of the Anglo-Indian system of education is that it ends in school. Very few boys and girls go up for higher education. The result is that in the competitive examinations for Civil Services, conducted by the Government of Bengal you hardly ever find members from the Anglo-Indian community, or the European community, or the Parsis, or the Jews, or the Armenians, sitting side by side, because they have not graduated. For the same reason you find very few amongst them in the learned professions. The minimum age for matriculation is 15, the age for Cambridge School examination

is at least 17, thus they lose two years to start with. This danger may be realised when I say that they pass the Cambridge School Examination or rather they sit for it in December. By the courtesy of the Calcutta University they are provisionally admitted into the college classes in January before they know of the results of their Cambridge School Examination. Even then it means that these students can enter into any of the colleges at least seven months late and then they appear at the examination not as students of any college but as non-collegiate students having lost seven months. So it become very difficult for those students to pass the University examination.

Sir, the community has been demanding that their education should be associated with the University of Calcutta but one of the difficulties in the way is the rule of the department which lays down that in no case will any school be permitted to adopt both the Matriculation Examination of the Calcutta University and the Cambridge School Certificate Examination; so that there cannot be any bifurcation in any particular school. But it is much more dangerous for non-Europeans studying in these European schools. I do not know why they go there. I mean the Jews, the Parsis and I dare say some Bengalis also. There are about 1,900 non-Europeans in the school of which 1,200 are the Parsis, Jews and Armenians. The result is that when they passed the Cambridge Examination and went to get admission into the I.A. class of any college they find an obstacle in the rule which lays down that no non-European applying for exemption from the Matriculation Examination under the foregoing regulation may at the discretion of the Syndicate be required to give evidence of proficiency in the vernacular which they have never thoroughly studied. Therefore they are barred out from any college course. With these few words I move my motion for the acceptance of the House.

Mr. A. J. DASH: The subject of this debate is not a new one. It has come up year after year and particularly in the past two years. The first objection raised is that the education of Anglo-Indians and Europeans should not be separate from that of the Indians. It has been explained in reply year after year that this is a constitutional matter which is not within the power of this Council or of Government or of the Education Department to alter. As far as the department is concerned, the policy of Government is that grants made and money spent on Anglo-Indian and European education cannot properly be reduced. There is urgent need for the money that is being spent and we need yet more money. I and the department consider it is very unfortunate that this part of the Education Budget of this year has been reduced against that of the previous year it is not possible for the department under these circumstances to consider the throwing open of the Anglo-Indian and European schools to Indians and others. It is not possible owing to

lack of money for the department to carry out the suggestion for making provision in the Anglo-Indian and European schools for higher University studies. I have nothing more to say.

The Hon'ble Mr. A. MARR: I should like to say just one word about the constitutional aspect of the question. This question has been discussed for at least the last two years. The constitution provides for a separate department for Anglo-Indian and European education and so far as the Education Department is concerned we are bound to obey the constitution. Sir, two years hence things may be changed and the Council will then be able to discuss the altered position.

The motions of Mr. Shanti Shekhareswar Ray and Revd. B. A. Nag were then, by leave of the Council, withdrawn.

Mr. SARAT CHANDRA BAL: I beg to move that the demand of Rs. 11,70,000 under the head "31.—Education (Reserved)" be reduced by Re. 1 (want of policy with reference to backward classes).

As the member began to speak the time-limit under the head "31.—Education (Reserved)" was reached and the motion of Mr. Sarat Chandra Bal was then put and lost.

The motion that a sum of Rs. 11,70,000 be granted for expenditure under the head "31.—Education (Reserved)" was then put and agreed to.

The following motion was not called owing to the expiry of the time-limit:—

MUNINDRA DEB RAI MAHASAI: "That the demand of Rs. 11,70,000 under the head '31.—Education (Reserved)' be reduced by Re. 1 (necessity for being equally liberal to the children of the soil)."

31.—Education (Transferred).

The Hon'ble Mr. KHWAJA NAZIMUDDIN: On the recommendation of His Excellency the Governor, I beg to move that a sum of Rs. 1,15,43,000 be granted for expenditure under the head "31.—Education (Transferred)."

The most marked feature of the Education budget this year is the absence of grants for capital expenditure on new schemes. As my friend Mr. Narendra Kumar Basu, who I find is not present to-day, objects to the repetition of the oft-repeated reasons for the omission, I will not mention them. By now the House knows fully well why we have not been able to find money for the new schemes. In an abnormal year like this all we can do is to mark time. All permanent recurring grants to schools and colleges have been provided in the budget.

Provision has been made for the annual recurring grant to the Calcutta University. They have applied for additional grants and Government are corresponding with the University on the subject.

Sir, an explanation is necessary why it has not been possible to bring into effect the Primary Education Act of 1930. Immediately after the Act was passed by the Council, Education Department started to collect information and figures which would be required before any part could be brought into force. We had to wait for the assent of the Governor-General as well, which was received in the middle of January, 1931. Since then a programme has been worked out by the department and an estimate of the probable expenditure from the provincial revenues has been framed. These are now under the consideration of Government. All preliminary steps have been taken and there has been practically no delay. With these words I request the Council to support the motion that I have moved.

Mr. PRESIDENT: Is there any objection if I take up motions 537, 538, 539, 542, 543, 544 and 546 together for discussion?

The Hon'ble Mr. KHWAJA NAZIMUDDIN: And also 540.

Mr. PRESIDENT: I think I better take 540 and 547 together.

Maulvi TAMIZUDDIN KHAN: I beg to move that the demand of Rs. 4,44,128 under the head "31A.—Education (Transferred)—University—Grants to Calcutta University" be reduced by Rs. 1,000 (administration of the University).

Sir, there are such other little things in the University which call for immediate attention of the authorities of the University and I think no time should be lost to bring in reform so far as these things are concerned. Then there are also some grievances against the University which are being put forward from the floor of the House year after year. Government make certain grants to the University and it is said that the grants should be increased. No doubt grants should be increased, if possible, but we feel that under the present circumstances, it is difficult for Government to find more money for the Calcutta University. The University no doubt has claims upon the finance of the Government; so also have the other departments of education, particularly primary education. We all know that secondary and University education has not been given that amount of facility which should have been given. But we should remember that primary education should have been the main concern of the Government and so far as that is concerned, Government has hitherto grievously failed in bringing primary education up to a proper standard. Whatever that might be I want to impress upon the House

that although the Calcutta University should be given more money from the Government coffers, still under the present circumstances, it is very difficult to do so. Secondly, there is another old grievance of the University that whatever grant be given to the University should be statutory. So far as this is concerned I think the grievance is quite substantial and Government should see its way that this grievance is removed within a short time. Along with this I think the question of the representation of Muslims in the various bodies of the University should also be considered. These two questions cannot be separated from each other. If a statutory grant is to be given to the University, the Calcutta University Act has to be amended and if it has to be amended, I think the other matters in which the Calcutta University falls short of proper standard should also be gone into. Therefore I would like to say that Government should lose no time in seeing that the Calcutta University gets statutory grant and also to see that the grievance of the Muslim community is removed so that in future no community can bring any charge against the University. It is a deplorable thing that we have got to refer to these things from the floor of the House. It should concern all of us to see that the Calcutta University is placed on a standard from which it may not be open to attack from any community whatsoever. With these words I press for this motion.

5-30 p.m.

Maulvi ABDUL HAMID SHAH: I beg to move that the demand of Rs. 4,44,128 under the head "31A.—Education (Transferred)—University—Grants to Calcutta University" be reduced by Rs. 500 (to raise a discussion on the question of University administration in connection with the affiliation of high schools).

He spoke in Bengali, the English translation of which is as follows:—"Mr. President, the Calcutta University has taken upon itself the responsibility of imparting education to the people of the country, but its achievement in this respect falls far behind the achievement of the lower and middle English schools aided by Government and the district boards. The money placed by the Government at the disposal of the Education Department for helping schools is quite inadequate for the purpose. Over and above this the pressure of the University makes the lives of 75 out of every 100 schools in the mufassal extremely precarious. The non-co-operation movement swept away a large number of high schools in the mufassal. Now the existence of those schools which managed to survive is endangered by the insistence of the University on the fulfilment of expensive terms for granting of new or continuation of the old affiliation. Unless the unfortunate schools are able to secure affiliation they are not entitled to demand a pie from Government.

Now I wish to know whether the question of granting affiliation should depend more upon the affluence of a particular school than upon the necessity of some local area for a school? I urge that in granting affiliation to a new school, the University should be guided by the consideration of the local necessity for it. In fact, 900 schools which already exist are hardly sufficient for the large area under the Calcutta University and more new schools are required. In these circumstances I request the Hon'ble Minister in charge of Education to see that in granting affiliation to a new school more regard is paid to the necessity for it in the particular area than its affluence."

Maulvi ABUL KASEM: I beg to move that the demand of Rs. 4,44,128 under the head "31A.—Education (Transferred)—Calcutta University" be reduced by Rs. 100 (to draw attention to the fact that the interests of Muslim graduates are neglected and further to draw attention to the fact that the University is gradually deteriorating).

I am sorry that I have to raise a discussion and bring to the notice of the House, an aspect of the Calcutta University which is not a very pleasant one. I do not claim to be either an educationist or one who can from personal knowledge speak of high education because I was not one of the good students of the Calcutta University, nor did I pass very well. In fact to speak in honest truth, when I took my degree I was the last boy of the year. But all the same my affection and my regard for the Calcutta University is no less than that of anybody else. It is with very great regret and with a sense of shame and humiliation therefore that I heard the remarks passed in other provinces that the Calcutta University graduates are absolutely worthless, I mean to say the bulk of them. My friends on the Government benches will not perhaps mind when I say that the members of the Public Service Commission have declared both verbally and in their report that the students of the Calcutta University are the worst lot of students in India. That is their opinion and we find from the results of open competitive examinations that our boys from Bengal cut a very sorry figure in those examinations. There was a time about 15 or 20 years back when Calcutta and the University of Calcutta were regarded as the centre of intelligence and culture of India. We were the people who were looked upon with respect and with confidence then. In those days the boys who could not pass the Calcutta University examinations went to Allahabad and Lahore to get a cheap degree but to-day the situation is altogether reversed. The Principal of the Kayastha Pathsala was examined before a committee of the Government of India and I was present there. He was asked what about his bad boys, how do they carry on and what career do they take up, do they not turn out mischief makers? His

reply was "we have no bad boys. Our bad boys go to Calcutta to take cheap degrees there." That was his opinion. I think that those who have occasion to meet and interview candidates for higher services will agree with me when I say that the Calcutta University graduates of the present day—I do not say the whole lot of them—there are many of them who are most brilliant, but I speak only of the majority of them—are not up to the mark, no better than myself. What I say is this; that extension of education and the spread of area of education is not so important as the improvement of the quality of education and the fitness of a boy for a career, for a useful career in life. The volume is not the thing that is wanted but the quality, and for that purpose I think that unless the Calcutta University mend matters and improve its quality, Bengal will not again hold its place as the main centre of intelligence and culture in the whole of India. At any rate I say, and I do it with pride, speaking so far as our boys are concerned, that they are more intelligent and more industrious than boys of other provinces, but unfortunately in these days when we have to meet the people from other provinces we find that our boys come second best. It is a very regrettable thing and requires serious consideration not only of Government but of the University of Calcutta also. For these reasons I have given notice of this token cut.

I think the time has come when the attention of the University should be drawn to restrict the area, if they cannot afford to give the pupils the best of attention and prepare our boys for future careers. When a graduate of the Calcutta University goes to the Vice-Chancellor for his degree I know that he is told that in his life and career he should maintain the reputation of the University. If they cannot do that I am afraid he is not fit for that degree.

My friend Maulvi Tamizuddin Khan has drawn attention to another aspect which is of a communal character. I do not think, Sir, he was right when he said that it was a matter of regret that there was not a single Moslem in the clerical service of the Calcutta University or on the Syndicate. I submit that there should be no communalism in the temple of education but that education should be conducted on national lines only.

Khan Bahadur Maulvi AZIZUL HAQUE: I beg to move that the demand of Rs. 4,44,128 under the head "31A.—Education (Transferred)—University—Calcutta University" be reduced by Re. 1 (to consider the need of a statutory grant for the University of Calcutta, to recommend the early introduction of Calcutta University Bill and to make adequate provisions for Mussalmans representation in the different bodies of the University under the provisions of the Bill).

I will first of all deal with the question of the statutory grant. Those who are acquainted with the affairs of the University as also to a certain extent those who know the affairs of Government will see that for some time past controversy has been going on between the University and the Government.

Mr. PRESIDENT: I may tell the Khan Bahadur that I have arranged these motions in two different groups. The first group which we are now dealing with will enable members to talk about the administration of the University and of representation of different communities on the governing bodies of the University. The other group consists of motions which will enable members to speak about grants to the University and the policy of Government towards the University. I do not know if the Khan Bahadur could refrain from saying anything about a statutory grant at this stage and put off his suggestions with regard to that to be made when the motions of the second group are taken up. I think it will not adversely affect him.

Khan Bahadur Maulvi AZIZUL HAQUE: No, it will not affect me only if you give me permission to put it to the House. But I request that my motion may be kept separate and I may be allowed to move.

Mr. PRESIDENT: In that case you do not come under the first group.

Khan Bahadur Maulvi AZIZUL HAQUE: I come under both the groups.

Mr. PRESIDENT: How is that possible? That is not possible. You can make your suggestions with regard to grants when the motions under the second group are discussed.

5-45 p.m.

Khan Bahadur Maulvi AZIZUL HAQUE: I will do that.

Sir, for the time being I would only refer to the provisions for Moslem representation under the provisions of the Bill. Sir, I purposely gave notice of this motion, keeping these three things together, and with your permission, I shall discuss this matter only and would only refer to the reasons why I want these things to be tagged together. Sir, the Calcutta University requires money. The money belongs to the public and therefore all sections of the public have a right to see whether the money is well spent and whether the necessary safe-guards for the proper control of funds are there. With all that I feel that the time has come when the question of a statutory grant to the Calcutta University should

be settled once for all. I would refer to the reasons later on. The Calcutta University Bill is long overdue and I consider that some pronouncement on the part of Government is necessary as to their attitude with regard to an Act which has existed for sixty years. We know that Dr. Jenkins has prepared a Bill, but we do not know what the Government view on the matter is. We do not know what is the attitude of Government towards the future constitution of the University. Sir, I am not so strong as Maulvi Abul Kasem to feel that nationalism is opposed to the interest of Muhammadans. You cannot develop the University on a plane of its own. Sir, if it is found that one section of the community is practically excluded from any representation on the University, even if that section forms a substantial part of the population, then I submit that the time has come when we should register our protest against that exclusion. It is necessary for you to press the matter with a view to finding out whether the Muhammadan community has raised a communal question or whether they have a legitimate grievance so far as the Calcutta University is concerned. Sir, a few months back the post of the Registrar of the Calcutta University fell vacant. The Syndicate at first recommended two candidates, one of whom was a Muhammadan, a distinguished M.A. in Mathematics, and another man. The gentleman is a member of the Indian Educational Service and is very well spoken of. There were other candidates. You will be surprised to hear that even though the Syndicate, which had not made final recommendations, strongly supported this candidate, at the time of the final selection the names of two other candidates were suggested. This in itself is sufficient to condemn the University so far as in the interests of the Muhammadans are concerned. Here is a candidate, a distinguished M.A. of the University, a member of the Indian Educational Service, a man in the forefront of public life, whose claims were brushed aside in favour of a man with perhaps a lower degree. (A VOICE: Are you sure of that?) Well, you can make an inquiry.

Sir, last year I tried to put forth two Muhammadan candidates for election to the Syndicate—one of whom was Khan Bahadur Shams-ul-Ulama Dr. M. Hidayet Hosain—, who is the Principal of the Calcutta Madrasah and a distinguished oriental scholar. At the election they could not succeed, and in the history of the Calcutta University no Muhammadan has been elected to the Syndicate except for a temporary period. Things were slightly better three or four years back when the Assistant Director of Public Instruction was a member of the Syndicate. I do not know how he managed to find a seat. Since his departure the Muhammadans have not been able to send a representative to the Syndicate. Take the Board of Studies and the several Faculties, take the list of examiners, everywhere you will notice the absence of Muhammadans. I do not mean to say that in the Board of Studies or in other academic bodies you should take Muhammadans irrespective of

their qualifications. If you look at the Civil List, then, if you are not colour blind you will find the names of good many Muhammadans with high educational qualifications, who are quite fit to find a place on any academic body. Even these men cannot get a chance of serving the University. Sir, only the other day I proposed the name of a distinguished Muhammadan M.Sc. for being made an additional member of the Faculty of Science, but in spite of the fact that I personally canvassed a large number of gentlemen I could not succeed in getting him elected. These are grievances for which we can legitimately claim a redress. It is not a question of the distribution of loaves and fishes. It is a question of the aspiration of the intelligent and educated men of our community who feel that they have a right to take part in the administration of the Calcutta University. For the moment I would brush aside the fact that out of 200 ministerial officers in the University, there is not a single Muhammadan. Perhaps I shall be told that qualified Muhammadans are not available. As a matter of fact, if you make an effort, you can easily get a large number of qualified Muhammadans to fill up these posts. I am not disputing with anybody or entering into a controversy as to why it is so; I am only making a statement of facts. I am quite content that there should be no Muhammadans in the ministerial staff—there may not be any quarrel as regards loaves and fishes, but when we come to the question of academic interests, I submit that the special interests of the Muhammadans must be safeguarded. Educated Muhammadans have a right to be on the University and on the different faculties.

Sir, there is one great mistake which has been committed, part of which is due to the blunder of Government and part of which is due to the colour blindness of the Calcutta University. The blunder of Government has been that with regard to the question of Muhammadan education, they have always thought that Madrasah education is the *summum bonum*. So far as University education goes, they feel that the interests of the Muhammadans lie in the study of Arabic. The interest of the Muhammadans transcends the study of everything. In the advancement of education in India, Hindus, Muhammadans and Christians have all contributed their quota. You cannot detach the interests of one community from those of another in regard to a particular matter saying that it concerns one and not the other. Each community has its own culture and each will contribute its part towards the advancement of education in the country. Will it be possible for Muhammadans to have a broader outlook of life if they do not read the history of the culture and tradition of other communities? Each community should have respect for the culture and tradition of the other. India would not be a place worth living in if Hindus and Muhammadans continually quarrel with each other, and I say that this quarrel will not end until one learn to respect the other. Unfortunately the history of Islam in India is dyed with such black paints that it is

difficult to believe that it is the history of Islam in India. I am not prepared to believe that the history of Islam is so bad—we are grateful to distinguished men like Sir Jadunath Sarkar and Babu Akshay Kumar Moitra, who are trying to rehabilitate Muhammadan history in its true perspective. Therefore, the Calcutta University must provide for the study of Islamic history and Muhammadan culture. It will be an inspiration to the Muhammadan students, it will also serve a definite national cause. Therefore, I plead for a broader outlook, I plead for a study of the Islamic history and culture along with the study of ancient history, its heritage and its contribution in the past towards the advancement of human knowledge, and I will conclude by saying this much that if you do this, you will really build the future history of India on a sounder, saner and proper basis.

Khan Sahib Maulvi BAZLUL HUQ: Mr. President, Sir, I beg to move that the demand of Rs. 4,44,128 under the head "31A.—Education (Transferred)—University—Grants to Calcutta University" be reduced Re. 1 (to draw attention to the inadequate representation of the Mussalmans in the bodies of the Calcutta University and in the ministerial staff).

Sir, at the outset I must tell the House that I bow to none in my deep devotion and loyalty to the University. I always respected the University and its members. But duty is duty and if in the discharge of my duties I make any unhappy and unpleasant remarks I hope to be excused.

Sir, my object in moving this motion is to show to the House and through it to all whom it may concern how things are being managed in the Calcutta University—a self-governing Institution—composed of the highly educated and cultured sons of Bengal and managed and administered by the best brains and intelligentia. It will also help us in the solution of the great problem lying before us—I mean whether we should have communal electorates and representations or abolish them altogether—whether we should have joint electorates with reservation or no reservation of seats, etc., in the future constitution of the country. It will show you how far the backward Moslems have been accommodated there by the Government and by our non-Moslem brethrens who are the real power there. As examples are better than precepts, I will content myself by quoting the figures as I found from the University Calendar for the year 1929 as the calendar for the year 1930 is not available, I am liable to corrections if there be mistakes:

(*1*) In the Senate there are 104 fellows both elected and nominated. Of this excluding 10 *ex-officio* members Moslems are 13.

(*2*) In the Faculty of Arts there are 13 Mussalmans out of 64.

(*3*) In the Faculty of Law there are 7 Mussalmans out of 34.

(4) We find no Mussalmans in the Faculty of Science, Faculty of Medicine, Faculty of Engineering, total number in each of them being 33, 20 and 8 respectively.

(5) In the Syndicate—the Executive Body of the University—there are 16 members and none of them is a Muslim.

(6) The Council of Post-Graduate Teachings in Arts is composed of 156 members, of whom 9 are Muslims.

(7) In the Executive Council 2 out of 22 members are Mussalmans and in Under-Graduate Committee one out of 7 members is Mussalman.

(8) There is not a single Mussalman in the following Committees:—

(a) Free Studentship Committee.

(b) Research Scholarship Award Committee.

(c) Library Committee.

(d) Bill Committee.

(e) Provident Fund Committee.

(9) Next comes the Boards of Higher Studies. Not a single Mussalman is found in the English, Sanskrit and Pali, Philosophy, Politics, Commerce, and Pure Mathematics although the members in each of the Boards are 21, 20, 23, 21 and 15 respectively.

In the Boards for Arabic and Persian Studies we find 2 Hindu Members out of 10 but in the Boards for Indian Vernacular Studies we find only 2 Muslims out of 26 and in Philosophy 1 out of 8, in History 2 Muslims out of 37.

We find 77 members in the Council of Post-Graduate Teachings in Science and not a single Mussalman there. Similar is the case in the Executive Committee. Here we find no Muslim out of 17 members. Not a single Muslim soul is to be found in any of the following Boards:—

(a) Mathematics.

(b) Physics.

(c) Chemistry.

(d) Botany.

(e) Physiology.

(f) Geology, etc.

In the Appointment Boards for different subjects there is only one member in the Arabic and Persian subjects. In all other subjects no Muslim.

In the Boards of Studies for English, Sanskrit, Bengali, Assamese, Economics, Physics, Chemistry and in the Library Committee and including Executive Committee and in the Age Committee, Transfer Committee and Press and Publication Committee no Muslim could find a place. But in the Boards of Studies for History, we find one out of 11, Philosophy 1 out of 11 and in Students' Residence Committee 1 out of 5, in School Committee 2 out of 8 and in Students' Welfare Committee 1 out of 14 members.

Let us now turn to Board of Examiners for different subjects. We do not find any Moslem in any of the following:—P.R.S. examination, Ph.D. and D.Sc. examinations, M.A. and in English, Philosophy, Economics, Commerce, and in M.Sc examinations and in B.A. examination in English, Vernacular, Economics, Philosophy, in B.Sc. L.T., B.T. and in I.A. and I.Sc. examinations in English, Sanskrit, Assamese, History, Logic, Civics, Commercial Geology, Mathematics, Physics and in Matriculation examination in Mechanics and Geology. But in the Board for Indian Vernaculars in M.A. we find 3 Moslems out of 33 for Urdu and Persian and for History 1 out of 49.

Amongst the question setters and paper examiners in I.A. examination we find 1 Mussalman out of 25 in Bengali and in no other subjects. In the Matriculation examination in English language we find 3 Mussalmans out of 68 examiners, and in Bengali 3 out of 46, in Mathematics 2 out of 65, in History 2 out of 19, in Final Law examination 1 out of 23 in Intermediate Law examination 5 out of 19 and Preliminary examination 1 out of 30 are Muslims.

No text book of Mussalman authors has been selected for any of the examination except Arabic and Persian. Sir, I have not the broadmindedness to forward the interests of the Mussalmans in ministerial services.

Now let us turn to the other side of the University and see the position of the Mussalmans in the paid services. There are 8 officers who carry on the business and duties of the University and none of them is a Mussalman. There are 205 post-graduate teachers in Arts, all but 10, including 7 for Arabic, are non-Muslims. All the 62 post-graduate teachers in Science are non-Muslims.

The entire clerical staff consisting of 150 heads, as I learn from my friend Maulvi Tamizuddin Khan, is filled up by non-Muslims. Not a single Moslem soul is to be found in ministerial staff.

I have put before you the harrowing details—details of a most painful nature—existing in the seat of learning and culture. It is for you gentlemen to consider what treatment has been meted out to the Mussalmans by the highly enlightened section of our people and in what a pitiable position the Moslem community has been reduced to and dragged—whether the actions of the University fathers in the cause of the Mussalmans are supportable and justifiable and creditable. If

this be the mentality of the highly educated and enlightened sections towards the Mussalmans, how can we expect a better result from the hands of ignorant and uneducated and less educated mass? If this be the fate of the Mussalmans in the University I do not imagine what will be their fate under joint electorate system and with no reservation system if introduced in the near future.

Sir, the Calcutta University is a monopoly of one community for ages together and the doors of the University have been shut out and yet the unfortunate Mussalmans are accused of being rank communalists. Muslims' just and legitimate claims have been brutally and mercilessly butchered and sacrificed. How can there be better understanding, trust and goodwill? Sir, a tree is known by its fruits. In the Syndicate which is the Executive Committee of the University all the 16 members are non-Muslims. In the recent election I am told one Mussalman gentleman who is a member of the Senate stood a candidate for membership of the Syndicate and miserably failed in the election. This shows the mentality of the majority party in the Senate. Such is the position of the Moslems. They could not secure even one place out of 16 in the Syndicate. Our big brothers have appropriated all to themselves and filled their bellies to the brim and none cared for their small brothers to have a drop from the ocean. This is a lesson and an eye opener to be learnt from the big brothers. It now remains to be heard what our friend the representative of the University and the Educational authority say in reply. One point I forgot to notice. It is this that the present Vice-Chancellor is a Muslim. I do not know who is responsible for this sudden and new departure in the University. But can we expect any relief from him who is surrounded by a section of unsympathetic councillors?

Sir JADUNATH SARKAR: The debate on the University cuts has ranged over three points, the first being the deterioration of the University graduates.

Mr. PRESIDENT: That is about the Moslem graduates.

Sir JADUNATH SARKAR: Yes, Sir. The second point was the remark of Shah Sahib that the Calcutta University has got a stranglehold on the high schools in the mufassal that supply the local needs of education. And then there is the third point about Moslem representation to which I shall refer last of all. With regard to Maulvi Abdul Hamid Shah's remark that the Calcutta University is making higher education in the mufassal difficult and is demanding exorbitant sums of money in deposit as a condition of affiliation of schools, this complaint, I venture to submit to the members of this House, is based on insufficient knowledge, and I would request the members to read a pamphlet called "the School Code" issued by the University on the

subject. In framing the rules for the management of schools the University has always borne in mind the interests of all concerned, *viz.*, the teachers, the boys and the local public; it has insisted that the interests of students must predominate over all other interests; that the head master should be given a position of responsibility and that he should have a decent pay; that the teachers should be represented on the managing committee, as also the guardians of students, while the large donors will have permanent seats on the managing committee of the school. Now, I would ask the Shah Sahib whether in a mufassal school when the enthusiasm of the promoters grows less and subscriptions fall into arrears, he would consider such a state of things desirable and whether he does not think that the University is justified in demanding as a condition for affiliation that a certain sum of money should be deposited in the school reserve fund so that this sum may be drawn upon when the school is in want. The University has calculated a certain amount of money as the minimum expenditure for high schools, and unless there was in deposit a sufficient fund, what would be the fate of the school when the subscriptions and fees fall short? It is clearly for this reason that the University has adopted such a scheme, which I hope every one will agree with me in thinking is a reasonable one. Before any permanent recognition is given to any school, it is given the opportunity to find the necessary amount of money. Unless the financial stability of a school is secured, it would tend to lower the standard of education. One school solemnly declared in its application that it had Rs. 94,000 in reserve at the credit of the school. On enquiry it was found that it had absolutely nothing in the bank and it was found that the promoters were unable to deposit even Rs. 5,000 on the school account in the bank. Schools temporarily affiliated require annual inspection, whereas permanent ones are inspected once in three or even four years.

6-15 p.m.

Sir, the mufassal schools are sometimes started from local jealousies. If a school is started on one side of a *beel* the villagers living on the other side must have a school of their own, otherwise they think their prestige would suffer. But soon their enthusiasm begins to wane and both the schools suffer. Only one school in the centre of a large village area should be started, if there is to be a good and durable school for these villages, and that school alone should be recognised by the University. But as I have said there are sometimes two or three schools in a village or in neighbouring petty villages and on account of lack of funds they all decline. The best plan would be for a number of villages to join together and start only one school of the first rank in their midst. This is not done, and that is why so many schools die out in

the mufassal. They have not sufficient money to pay for an adequate staff and their teachers have to supplement their income by excessive private tuition. Unless a school has sufficient money to pay for an adequate staff it has no right to exist. Local needs can in most villages be supplied by middle English schools, which might be extended where there is real need.

The second point that has been raised in this debate is the standard of the Calcutta University. It has been said that it has deteriorated greatly of late. That is no doubt a fact; but for this deterioration the outer public is as much to blame as the executive of the University. Only two weeks ago I was reading an article in the *Times* of London and with your permission, Sir, I shall read an extract from it.

"We [i.e., Universities] are passing from the control of a narrow but highly cultivated oligarchy, which cared for scholarship if it did not care much for the advance of knowledge, and coming under the influence of a much wider, more enthusiastic, less cultured and more material-minded public. The danger is that both sides may abandon their higher ideals and.....commercialise the intellect.....Dr. Flexner considers that the development of education has been accompanied by a terribly insufficient 'sense of values,' and that the Universities rightly anxious to maintain contact with the actual needs of life, have 'catered to fleeting and immediate demands' and let themselves be dominated by shallow and uneducated fashions."

Now, the Universities have come under the control of the public and have to look to the public for guidance, and what the public demands the University must supply. One public demand is the establishment of schools in every conceivable and inconceivable village, and another is to establish a college in practically every town. If we have so many colleges, it would require money to maintain them properly, and that money must either come from private subscriptions and donations or from the State or from the fees realised from the colleges. It is seen that soon owing to the lack of funds most of these colleges languish or go out of existence. Many of these colleges were started with a good deal of enthusiasm at the beginning, but after a time the enthusiasm waned, the public subscriptions fell into arrears and the colleges died out. During the boom years just after the war, there was a great demand from unaided colleges for affiliation even up to Honours Courses, when they had not a sufficient number of students for even the pass courses. The result was that their income was found to be inadequate, and after some time they found considerable difficulty in maintaining an efficient teaching staff. As the University examines students prepared by the colleges, the character of the constituent colleges must determine the quality of the graduates turned out by the University. We must not judge the University by its tiptop post-graduate products, but by the intelligence and conduct of the average graduates, and the average

graduates must all come from the constituent colleges. Therefore, the efficiency of the constituent colleges determines the character of the University. Such is the case in every country. The remedy lies in a demand from the public for the abolition of a number of inefficient and small local colleges and the concentration of all their resources on a smaller number of good colleges. That is the only solution of the problem. Dr. Jenkins considers that all high schools should be financially aided by Government, and therefore the number of high schools should be reduced from more than 1,000 to about 750.

Mr. PRESIDENT: Will you be long? If so, I shall adjourn the Council now and you can continue afterwards.

[At 6-15 p.m. the Council was adjourned for prayer and it reassembled at 6-30 p.m.]

Sir JADUNATH SARKAR: Sir, before the adjournment I was speaking about the lowering of the standard of the Calcutta University and I was explaining how this lowering of the standard is the inevitable consequence of the establishment of too many colleges which are not adequately financed and staffed. The result of having an inefficient staff is that boys are sent up for examinations very ill-equipped, and if they fail in the examinations the public blame the University. When such failure occurs the public never think that the failure is due to the insufficient preparation of students, and not to the perversity of the University Executive; and the cry is raised for grace marks without rhyme or reason. Sir, that sort of thing, I am afraid, will go on unless inefficient colleges are abolished, and that can only be done by an enlightened public opinion.

I now come to my third and last point. It is an extremely delicate matter—the question of Muhammadan representation in the University. I have some experience of the inner working of the Calcutta University and I believe I can command some amount of confidence from my Muhammadan brethren because I have devoted the whole of my life to the study of the achievement and culture of the Muhammadans and have spent all my time in researches into the Islamic contribution to the life and thought of India. I therefore cannot be suspected of being inimical to the Muhammadans. I hope, therefore, my friends Khan Bahadur Maulvi Azizul Haque and Maulvi Abdul Hamid Shah and others will believe me when I say that the University is not so one-sided or so partial a body when the Muhammadans are concerned as they think it to be.

With regard to the nomination of members of the Senate I may tell them that it is done by the Chancellor in consultation with the Vice-Chancellor. But their hands are tied to a great extent. Very often a particular vacancy must be filled up exactly by a fellow of the same

character as the outgoing one, e.g., a doctor, an engineer, or a degree college teacher.

(Here the member having reached his time-limit resumed his seat.)

Mr. SYAMAPROSAD MOOKERJEE: Sir, I should like to say a few words on this?

Khan Bahadur Maulvi AZIZUL HAQUE: Sir, do I understand that the motions of the other group are also to be moved now and that thereafter those who want to speak on either subject will be allowed to do so?

Mr. PRESIDENT: If you want to speak about the grant of the University, you will have an opportunity of speaking when the motions of the other group are moved.

Mr. SYAMAPROSAD MOOKERJEE: Sir, in rising to speak on the different motions which have been moved this evening I feel that I am not here called upon to defend the policy which has been pursued by the University of Calcutta during the last few years. At the same time as one who happens to be connected with the University, it is my duty to point out certain inaccuracies which have crept into the speeches made by several members this evening and also to explain the attitude which some members of the University for whom I can speak and the University generally have taken on the questions raised. Sir, in the first instance I should refer to what has been said by Maulvi Abdul Hamid Shah regarding the administration of schools. Sir Jadunath Sarkar has dealt with the question raised by him effectively and I would only add this. The Syndicate which under the Regulations is responsible for the grant of recognition to high schools is always most sympathetic to the aspirations of public-spirited gentlemen who found schools in different districts of the provinces of Bengal and Assam. But we have no agency of our own to inquire into the applications which are received for the purpose of such affiliations. Our agency in this respect is the Department of Education itself. Sir, the Minister of Education and the Director of Public Instruction who is an *ex-officio* member of the Syndicate will bear me out when I say that if the University has been blamed with regard to its policy towards school affiliation, it has been blamed because it has often erred on the side of leniency. Whenever any case has been recommended by the Department of Education, the University has never opposed affiliation. There have been cases, on the other hand, where the department has not found it possible to recommend affiliation for some reason or other, and yet if the needs appeared to the University to be insistent, the University has

brushed aside the recommendations of the Education Department and granted affiliation. I am certain that when the gentlemen concerned spoke, they spoke without any positive information.

Now, Sir, I will take up the question of communal representation. It is an extremely delicate matter and I feel a good deal of hesitation in dealing with it. Speaking for myself, I should certainly welcome a larger number of qualified Muhammadans in the Senate and other bodies of the Calcutta University. So far, however, as the particular instances mentioned go, I must say with a feeling of regret that some of them at any rate should not have been raised by one who himself happens to be a member of the Senate. I shall take the case of the appointment of Registrar. I happen to be a member of the Syndicate and without disclosing any secrets I may just mention very briefly the procedure that we adopted in that connection. The post of Registrar was about to fall vacant and we advertised for it. We received a number of applications. We selected several candidates—it was a sort of preliminary selection and amongst them was the Muhammadan gentlemen to whom reference has been made this evening. We interviewed six of them and the Muhammadan gentleman was one of the persons who were interviewed. Then, Sir, after a good deal of discussion we came to the conclusion that we would send up two names only to the Senate with whom lay the power of final appointment. The matter was voted upon entirely on merits and when we excluded the name of the Muhammadan, we did so as we thought he was inferior to the other two. I can assure every member of the House—and the Director of Public Instruction, who was present at the meeting representing Government himself, also a powerful champion of Muhammadan interests will bear me out when I say that we decided the question entirely on merits when we sent up the two other names to the Senate for consideration. (Khan Bahadur Maulvi AZIZUL HAQUE: Yes, that is the difficulty.) Sir, the Khan Bahadur says that this is the difficulty. I hope he realises what the difficulty is. The difficulty was and it always is that we proceed in such cases not on communal grounds, but on the basis of merits. (Maulvi ABUL KASEM: Were the first and second chosen entirely on merits.) Sir, Maulvi Abul Kasem is not yet a member of the Senate though I have heard his name mentioned in this connection. Sir, he apparently claims to know from outside more than what we do from inside. But I can assure him that the proposal which was sent up was entirely based on merits. You may not agree with us but I say you have no right to impute motives whatsoever. It is not possible for me to deal with each and every one of the items which have been referred to by my friend Khan Bahadur Azizul Haque. He referred to the fact that a certain Muhammadan gentleman was not elected a member of the Syndicate. At the last annual meeting of the Senate my friend Khan Bahadur Aaizul Haque knows that two very distinguished educationists

were also defeated; I mean Dr. Radha Krishnan and Dr. Urquhart. Was that for any communal reason? Was Dr. Urquhart defeated because he happened to be a Christian? Or Dr. Radha Krishnan because he was a Hindu? In matters of election one does not always know what happens; we ourselves were surprised at the result of the election, but to suggest that when a Muhammadan gentleman was defeated, he was defeated because he was a Muhammadan is certainly doing us less than justice.

Khan Bahadur Maulvi AZIZUL HAQUE: On a point of personal explanation.

Mr. PRESIDENT: Not unless the member who is speaking yields.

Mr. SYAMAPROSAD MOOKERJEE: The time at my disposal is very short and I do not like to be interrupted. With regard to the allegation that no Muhammadan except Mr. Ashanullah has been elected to the Syndicate except for a very short period, I refute that allegation entirely. Dr. A. Suhrawardy was elected a member of the Syndicate by the entire body of the Senate a few years ago and was there for a full term; so was Dr. H. Suhrawardy, the present Vice-Chancellor, elected on four or five different occasions. There also have been cases when Muhammadans have been elected to the Faculties and Boards but of course it may be that more might have been elected. It should not, however, be forgotten that nominations to the Senate are not determined by the Senate itself. That is a point that was never mentioned in this House to-night. The Senate of the Calcutta University has 100 ordinary members, 80 of whom are directly nominated by the Governor of Bengal. Surely you cannot blame the University if the number of Muhammadans is what it is, and not more as it should have been according to some members of this House.

With regard to this question of Moslem representation there is another matter to which I cannot but refer. I hope my Muhammadan friends will not misunderstand me because I am saying what I consider to be in the best interest of the Muhammadan community. This afternoon we have heard a lot—that on the present Senate there are a few Muhammadans, on the Students' Residence Committee there is no Muhammadan (although actually there is one) and on the accounts board there is no Muhammadan. One of the grotesque suggestions made was that in the P. R. S. and Ph. D., D. Sc. Boards there is no Muhammadan. Surely you cannot have a Muhammadan to examine a thesis for Ph. D. or P. R. S. simply because he is a Muhammadan; he must be a competent examiner, able to examine a thesis for your highest examinations before you can offer it to him. When all this has been said, no member has referred to the interest, the practical interest taken by the Muhammadans

in the University. For instance, it has not been pointed out by any member to-day as to what benefactions the Muhammadan community has made to the University of Calcutta towards the advancement of learning. I have taken this illuminating figure from the University Calendar. Since 1906 the Calcutta University has received benefactions to the extent of Rs. 50,70,000 from public spirited gentlemen including the princely benefactions which came from three distinguished countrymen of ours, Sir Tarak Nath Palit, Sir Rash Behari Ghosh and Guruprasad Sinha, Kumar of Khaira, but what is the extent of the contribution which has been made by the Muhammadans? Not more than Rs. 10,000 or Rs. 11,000 during these 24 years. I am not casting any reflection on the great community but all I mean to say is this, that the members of the Muhammadan community, along with their anxiety to take a larger share in University administration, should also come forward and create benefactions in the University which my friend Maulvi Tamizuddin Khan said at the beginning of his speech they all so much love. Again, Sir, looking at the number of students I find the situation equally regrettable. If you refer to the number of students in the non-professional and professional colleges, you will find there are about 20,000 Hindu male students reading in Bengal whereas there are only 2,900 Muhammadan students.

Maulvi ABUL KASEM: These are our grievances.

Mr. SYAMAPROSAD MOOKERJEE: Yes, these may be your grievances but it is not the fault of the Calcutta University. We have not asked you to lag behind. Again, while there are 300 Hindu girls reading in colleges, there are only 5 Muhammadan girls. So far as professional colleges are concerned there are 4,500 Hindu students while there are only 800 Muhammadan students. There are 13 Hindu girls reading in the same colleges and there is not a single Moslem girl. There are 93,000 Hindus in high schools and only 17,000 Moslems; in those schools there are about 1,500 Hindu girls and 50 Moslem girls.

A great point was attempted to be made out by my friend Khan Bahadur Azizul Haque that the Calcutta University is to be blamed because Muhammadan students have mainly pursued Arabic and Persian studies, but, Sir, may I ask who has induced them to study only Persian and Arabic? I find that last year at the various professional examinations, there were only 10 Muhammadans out of 160 who passed the M. B. examination, there was only one Muhammadan who passed the B. E., there was none who passed the B. Com. and none again passed the M. Sc. Now I ask, Sir, is it the fault of the Calcutta University that Muhammadans do not pursue these particular branches of study. Let me say this at once that I am not blaming any one in particular for this state of things but what I say is this: if you want

really to advance the best interests of the Muhammadan community and not the interests of particular individuals, it will not be by merely demanding that you should be given a larger number of posts, or there should be a certain number of Muhammadan clerks amongst the clerks appointed by the University or that a still larger number of Muhammadan duftries should be appointed by the University or that a larger number of persons should be appointed as members of the Senate or Syndicate. By all means capture a few more seats but at the same time do your level best to create public opinion amongst the members of your great community so that the fullest advantage may be taken by Moslem young men of the educational facilities which are thrown open by the University to all, irrespective of caste, creed or community. Let your claims be broad-based not on population or numerical strength but on quality and fitness.

(A VOICE: Our grievances must be removed before this advantage can be taken.)

There is just another matter to which I should like to refer before I take my seat. So many members have spoken to-day but none have referred to the present position of Muhammadans in the Education Department; both the Minister for Education and the Vice-Chancellor of the Calcutta University are to-day Muhammadans. So far as the Hindus are concerned, they have not grudged it; rather they welcome this recognition shown to Moslems. Our interests I am sure will be safe in their hands and so long as they occupy their present offices, they will look not only to the interests of the community to which they belong but also to the larger interests of the province as a whole.

I have heard with some amount of regret a suggestion made by one of my hon'ble friends to the effect that the Moslem Vice-Chancellor can do nothing so long as he is obstructed by the Hindus. I repudiate this suggestion as utterly unfounded. That discloses a lamentable attitude on the part of our Moslem friends and if that continues to be the feeling with which this matter is looked at in future, we shall be landed into a still worse position. There is no reason why there should be any such misunderstanding. Let us work together in the best interest of the province, in the interest of both the great communities, and I am sure that my Muhammadan friends will find ample support from every shade of opinion so far as the University is concerned.

Khan Bahadur Maulvi AZIZUL HAQUE: May I rise on a point of personal explanation, Sir? I am afraid Mr. Syamaprosad Mookerjee has thoroughly misunderstood me. I never said that these Muhammadans were excluded because they were Muhammadans. All that I meant to say is that the fact is that they were excluded. I may also be permitted to say that the University complications—about which however I do not

want to discuss—are really very difficult for us Muhammadans to understand.

Revd. B. A. NAG: Sir, I am neither a Muhammadan nor a Hindu, but I belong to a minority community. But I am not sorry in the least that my community is not represented in the University to-day. I do not make any speech now, Sir, for the representation of my community, but I would only beg my Muhammadan friends to consider that if they want to create a better understanding between the Hindus and Muhammadans it can not be by ventilating and advertising their communal grievances in this way but by basing their demands on reasonable grounds.

Sir, I would like to place before the House certain facts in reference to what has been said by the previous speakers:—

(1) Under the statutes of the University the Registrar must have "experience in University administration." The Muhammadan candidate for the Registrarship had no such previous experience and hence he was barred out by the rules.

(2) Examiners are mostly chosen from the actual lecturers in colleges. Before the recent creation of the Islamia College, there were very few Muslim college teachers except in Persian and Arabic. But for some years past Muslim college lecturers have been appointed examiners in subjects, like English, History, etc.

(3) Since 1926 the proportion of Muslim Fellows of the Senate has been steadily increased, subject to the limitation on free choice. Many of the Fellows must, under the rules, be college teachers.

(4) In science the staff is entirely non-Muhammadan because when the Science College was fitted up, no Muslim scientist was available. They are now taking to a scientific education in larger numbers and they will be eligible for future vacancies.

On the Arts side the best brains among the Muslims get much higher posts than lecturerships such as in the Indian Civil Service, Indian Police Service, Bengal Civil Service, etc., and therefore they do not apply for the lecturerships under the University which are less well paid.

Sir, I want to close with only one other word, and that is that I have such a high admiration for Sir Jadunath Sarkar that I sat at his feet and collected all these facts.

Dr. NARESH CHANDRA SEN GUPTA: I am not an apologist for the Calcutta University; and I have never been a member of the Syndicate and that is a fact of which I make a present to the Khan Bahadur that like the gentleman whom he named I have been excluded both by the registered graduates and the Chancellor from the Calcutta University. Nevertheless, Sir, I claim to have some knowledge and

experience of University affairs, having been long connected with a sister University in this province, and from that point of view I shall try to examine some of the arguments which have been adduced before the House to-day. Sir, Mr. Abul Kasem has referred to the fall in the standard of education imparted by the Calcutta University. I know that this is a cry which has been raised for some years past. Well, it is easy enough for questions like these to take big jumps into vague generalities where there are no materials upon which we can base a solid judgment. The materials which Mr. Abul Kasem has placed before us are, I must say, too academic to be sufficient for the purpose of judging the standard of education. For instance, the opinion of the Principal of the Kayastha Pathsala quoted by him—who I do not think is a sufficiently competent judge of Calcutta University graduates,—is not worth the least consideration. It has been said that in the I. C. S. examinations our Calcutta University graduates have proved a worthless lot. Sir I have not examined the figures but I can congratulate the graduates of our University on their having proved less diligent about these public services than the graduates of other Universities. But then what about the other branches of service on which the worth of the education these students receive ought pre-eminently to be judged? (A VOICE: Law.) Not the department of law but the department of science; the department of culture. The contributions of Calcutta University graduates to the cause of research in all subjects have far outrun the contributions of the graduates of all the other universities in India. That is a fact which certainly is of far greater importance than the number of candidates who have been able to enter into a Service by competitive examination or by backdoor entrances. And that is a matter which I find has been significantly omitted in all considerations of the work of the Calcutta University graduates. Here we have got a certain test, a test which cannot be denied: a test, judged by which the Calcutta University stands out pre-eminent. On the contrary, with regard to the services, there are numerous factors which operate. The brilliant University students of to-day are not as fond now of careers, as for scholastic success, they were fonder of entering the Public Services in the past. I have known of several students who have refused to sit for a competitive examination because they said that they would rather like to appear for their M. A.

Mr. PRESIDENT: We will hear Dr. Sen Gupta further to-morrow. I now adjourn the Council till 3 p.m., to-morrow.

Adjournment.

The Council was then adjourned till 3 p.m., on Friday, the 27th March, 1931, at the Council House, Calcutta.

Proceedings of the Bengal Legislative Council assembled under the provisions of the Government of India Act.

THE COUNCIL met in the Council Chamber in the Council House, Calcutta, on Friday, the 27th March, 1931, at 3 p.m.

Present:

Mr. President (the Hon'ble Raja Sir MANMATHA NATH RAY CHAUDHURI, KT., of Santosh) in the Chair, the four Hon'ble Members of the Executive Council, the three Hon'ble Ministers and 106 nominated and elected members.

Starred Questions

(to which oral answers were given).

Erosion of the Noakhali town.

***166. Babu HEM CHANDRA ROY CHOUDHURI:** (*a*) Is the Hon'ble Member in charge of the Irrigation Department aware that Noakhali town is apprehended to be again eroded very rapidly if no protective measures be undertaken before the coming rainy season?

(*b*) Is it a fact that the District Magistrate and Collector has submitted a report to the Government dealing with the necessity of such measures being undertaken before the next monsoon?

(*c*) Will the Hon'ble Member be pleased to state whether the Government propose to undertake any protective measures?

(*d*) If the answer to (*c*) is in the affirmative, will the Hon'ble Member be pleased to state when those measures and what kind of measures will be undertaken?

(*e*) Is it a fact that the Collector of Noakhali has submitted a *Bundh* Scheme to the Government for approval?

(*f*) If so, do the Government intend to approve of that scheme?

(*g*) If the answer to (*f*) is in the affirmative, when is the scheme likely to be worked out?

(*h*) What will be the estimated cost for working out the scheme?

(*i*) Will the Hon'ble Member be pleased to state from what source the fund is proposed to be raised?

(*j*) Is the Hon'ble Member aware that Noakhali town is being eroded for the last 10 or 15 years?

(*k*) Is it a fact that the Government have not yet undertaken any protective measures against the erosion?

(*l*) Is it a fact that last year it was so apprehended that if no protective measure was undertaken before the coming rainy season Noakhali town might have been washed away?

(*m*) Is it a fact that the Government experts, though repeatedly requested, could not devise any scheme workable at a reasonable cost for the protection of the town?

(*n*) Is it a fact that they advised the Government to shift the town?

(*o*) Is it a fact that the Noakhali district board and municipality, with the permission and help of the Government, has constructed a *bundh* according to the scheme of the Town Protection Committee, across the Noakhali khal?

(*p*) Is it a fact that as a result of the said *bundh* erosion ceased, the khal below the *bundh* was being silted up and Government properties worth lakhs of rupees were saved?

(*q*) Is it a fact—

(*i*) that Government's contribution towards the fund for the said *bundh* is Rs. 15,000 only; and

(*ii*) the public with the district board and the municipality contributed about three times as much?

MEMBER in charge of IRRIGATION DEPARTMENT (the Hon'ble Alhadj Sir Abdelkerim Ghuznavi): (*a*) It is possible that erosion may occur.

(*b*) Yes.

(*c*) If investigation shows that it is possible to devise an effective scheme at a reasonable cost and funds are available, Government will consider it.

(*d*) This cannot be stated at present.

(*e*) Yes, a copy of the District Engineer's scheme was submitted informally.

(*f*) No.

(*g*), (*h*) and (*i*) Do not arise.

(*j*) Yes.

(*k*) Yes; but Government contributed Rs. 15,000 towards the cost of a *bundh*.

(*l*) It was apprehended that more or less serious erosion might take place.

(*m*) Yes.

(*n*) No; but Government were advised to make preliminary arrangements for constructing new buildings in case the old ones were washed away.

(*o*) Yes, in 1930, but it had to be cut to prevent damage in the Chaumohani area.

(*p*) Some silting took place and erosion was partially checked. It cannot be said whether Government property worth lakhs of rupees would have been washed away if the *bundh* had not been made.

(*q*) (*i*) Yes.

(*ii*) It may be so, but Government have no accounts.

Babu HEM CHANDRA ROY CHOUDHURI: Will the Hon'ble Member be pleased to state when the investigation referred to in answer (*c*) is likely to be completed?

The Hon'ble Alhadj Sir ABDELKERIM GHUZNAVI: It is difficult to say.

Babu HEM CHANDRA ROY CHOUDHURI: Will the Hon'ble Member be pleased to state whether any protective measures are to be taken before the coming rainy season?

The Hon'ble Alhadj Sir ABDELKERIM GHUZNAVI: Government is perfectly aware of all the facts; and if measures are to be taken, they will be taken in due time.

Babu HEM CHANDRA ROY CHOUDHURI: Will the Hon'ble Member be pleased to state what measures Government are now taking to stop the erosion?

The Hon'ble Alhadj Sir ABDELKERIM GHUZNAVI: Government are at present considering a scheme.

Babu HEM CHANDRA ROY CHOUDHURI: In view of the answers to questions (*m*) and (*p*) does Government propose devising any working scheme to stop the erosion and does Government propose to contribute a suitable amount to the Town Protection Committee in connection with this work?

The Hon'ble Alhadj Sir ABDELKERIM GHUZNAVI: The scheme which was prepared by Government experts will cost several lakhs of rupees and it is not possible for Government at present to sanction this, but I may inform the hon'ble member that a scheme which has been submitted by the Collector is being considered by the acting Chief Engineer who will, I have no doubt, be able to find out whether it is workable or not.

Babu HEM CHANDRA ROY CHOUDHURI: My question was—whether in view of the fact that Government may approve of some workable scheme, they intend to contribute a suitable sum to the carrying out of the scheme in order to complete the work?

The Hon'ble Alhadj Sir ABDELKERIM GHUZNAVI: I have nothing to add.

Maulvi SYED MAJID BAKSH: Is the Government aware that a bund has been erected by the Town Protection Committee?

The Hon'ble Alhadj Sir ABDELKERIM GHUZNAVI: That does not arise.

Babu HEM CHANDRA ROY CHOUDHURI: Will the Hon'ble Member be pleased to state whether Government experts would be able to devise a workable scheme within a very short time, that is, before the rains?

The Hon'ble Alhadj Sir ABDELKERIM GHUZNAVI: I have no doubt that Government experts will be able to devise a scheme, but as regards the time it will take, I have not gone into this; so I cannot give a definite answer.

Subhankari Daura in Bankura.

*167. **Babu SATYA KINKAR SAHANA:** Will the Hon'ble Member in charge of the Irrigation Department be pleased to state—

(*i*) whether any amount has been sanctioned for the improvement of the Subhankari Daura in the district of Bankura;

(*ii*) if the answer to (*i*) is in the affirmative, the amount sanctioned; and

(*iii*) if the answer is in the negative, the reason of the said Daura (channel) being neglected?

The Hon'ble Alhadj Sir ABDELKERIM GHUZNAVI: (*i*) No amount has been sanctioned for the improvement of the Subhankari Daura, but money has been provided for investigation of the project.

(*ii*) In 1928-29 Rs. 200, 1929-30 Rs. 500, 1930-31 Rs. 545, and Rs. 675 in the budget for 1931-32.

(*iii*) Does not arise.

Babu Atul Chandra Ghose, late Assistant Jailor, Hooghly Jail.

*168. **Maulvi ABDUS SAMAD:** (*a*) Is the Hon'ble Member in charge of the Political (Jails) Department aware that Babu Atul Chandra Ghose, late Assistant Jailor, Hooghly Jail, resigned his service after putting in 11 years' good and meritorious services in the Jail Department?

(*b*) If the answer to (*a*) is in the affirmative, will the Hon'ble Member be pleased to state the circumstances under which he resigned?

(*c*) Is it a fact that his resignation was due to the allotment of heavy additional duties which were never done before by any Assistant Jailor?

(*d*) Is it not a fact that additional duties were imposed upon him at the instance of the present Jailor?

(*e*) Is it a fact that the Assistant Jailor protested against the high-handed and arbitrary conduct of the Jailor in the administration of the Hooghly Jail?

(*f*) Is the Hon'ble Member aware that the said Babu Atul Chandra Ghose, after his resignation, has submitted memorials to the Inspector-General of Prisons and to the Chief Secretary making serious allegations against the present Jailor?

(*g*) If the answer to (*f*) is in the affirmative, will the Hon'ble Member be pleased to state whether Government are considering the desirability of directing an inquiry into the allegations?

(*h*) Is it not a fact that the constant transfers of the subordinate staff in the Hooghly Jail are mainly due to the report of the present Jailor against his subordinates?

MEMBER in charge of POLITICAL (JAILS) DEPARTMENT (the Hon'ble Sir Provash Chunder Mitter): (*a*) Yes.

(*b*) On his return from medical leave he found his health did not permit of his performing the duties allotted to him and stated that if he could not be transferred he wished his letter to be considered as a letter of resignation.

(*c*) No.

(*d*) No.

(*e*) I have no information beyond the fact that nothing to this effect was mentioned in his letter of resignation.

(*f*) No such memorial has been received by the Inspector-General of Prisons. A letter forwarding a copy of his letter of resignation has been received by the Chief Secretary. In this letter no specific allegations are made against the Jailor.

(*g*) No.

(*h*) No.

Maulvi SYED MAJID BAKSH: Will the Hon'ble Member be pleased to state why, on his return from leave, it was found that his health did not permit of much work, he was given his duties?

The Hon'ble Sir PROVASH CHUNDER MITTER: Because they were his usual duties.

Maulvi SYED MAJID BAKSH: Was it not proper for the superior officer to allot him duties which he could have performed?

The Hon'ble Sir PROVASH CHUNDER MITTER: No.

Maulvi ABDUS SAMAD: Was he not allowed to state his grievance before his resignation was accepted?

The Hon'ble Sir PROVASH CHUNDER MITTER: Certainly if he had put in any grievance, it would have been considered, but if an officer puts in his resignation, there is no need to consider any grievance.

Maulvi SYED MAJID BAKSH: Was any step taken against giving such hard work?

The Hon'ble Sir PROVASH CHUNDER MITTER: No hard work was given.

Babu JITENDRALAL BANNERJEE: Did he make any allegations against anybody?

The Hon'ble Sir PROVASH CHUNDER MITTER: I understand there are no specific allegations against anybody.

Maulvi ABDUS SAMAD: Will the Hon'ble Member be pleased to state whether the duties imposed upon him were not such as it would be impossible for any one to perform them in addition to other duties?

The Hon'ble Sir PROVASH CHUNDER MITTER: Not if he was inclined to do the work.

Mr. SHANTI SHEKHARESWAR RAY: Were no inquiries made as to the cause of his resignation?

The Hon'ble Sir PROVASH CHUNDER MITTER: If he had not resigned and complaint had been made, I would have had inquiries made, but when an officer resigns, he cannot expect any inquiries to be made.

Babu JITENDRALAL BANNERJEE: Will not the Hon'ble Member consider the advisability of making inquiries?

The Hon'ble Sir PROVASH CHUNDER MITTER: No.

Election of the local board in the Narail subdivision.

***169. Mr. K. C. RAY CHAUDHURI:** Will the Hon'ble Minister in charge of the Local Self-Government Department be pleased to lay on the table a statement showing—

(*i*) the names of the villages in which centres of polling booths were located at the time of the last election of the local board in the Narail subdivision in the district of Jessore; and

(*ii*) the names of the villages in which polling booths have been located for the ensuing election?

MINISTER in charge of LOCAL SELF-GOVERNMENT DEPARTMENT (the Hon'ble Mr. Bijoy Prasad Singh Roy): (*i*) (*ii*) A statement is laid on the table.

Statement referred to in the answer to starred question No. 169.

POLLING BOOTHS IN NARAIL SUBDIVISION.

Narail P. S.

Ensuing election.	*Last election.*
1. Narail thana compound.	1. Narail thana compound.
2. Narail Town Hall.	2. Narail Town Hall.
3. Habakhali School at Pajarkhali.	3. Bagdanga.

Abhoynagar P. S.

Ensuing election.	*Last election.*
4. Abhoynagar thana compound.	4. Abhoynagar thana compound.
5. Peruli School.	5. Peruli School.

Alfadanga P. S.

Ensuing election.	*Last election.*
6. Alfadanga thana compound.	6. Alfadanga thana compound.

Lohagora P. S.

Ensuing election.	*Last election.*
7. Dighalia School.	7. Dighalia.
8. Lohagora School.	8. Lohagora.
9. Teligati School.	9. Teligati.

Naraganti P. S.

Ensuing election.	*Last election.*
10. Dumuria Board School.	10. Naraganti thana compound.
11. Kalia School.	11. Kalia.

Unstarred Questions

(answers to which were laid on the table).

Mr. Bepin Behary Ganguli, lately a détenu.

163. Maulvi HASSAN ALI: (*a*) Is the Hon'ble Member in charge of the Political (Jails) Department aware that Mr. Bepin Behary Ganguli, a Councillor to the Corporation of Calcutta, has been placed in class III?

(*b*) Will the Hon'ble Member be pleased to state what class he is entitled to under the rules according to his social status?

(*c*) Is it a fact that he has lost 16 pounds in weight?

(*d*) If the answer to (*c*) is in the affirmative, will the Hon'ble Member be pleased to state the reasons therefor?

(*e*) Have the Government considered whether the loss of weight is due to the "C" class prisoners' food supplied to him?

(*f*) Is it a fact that he was made to walk all the way from Sealdah to Howrah station with handcuffs on and a rope tied round his waist while being transferred from the Berhampore Jail to the Midnapore Central Jail?

(*g*) Are the Government considering the desirability of placing him in division I in view of his higher social status?

The Hon'ble Sir PROVASH CHUNDER MITTER: (*a*) Yes.

(*b*) He appears to have been eligible for classification in a higher division.

(*c*) No. He gained 4 lbs.

(*d*) Does not arise.

(*e*) The gain in weight indicates that his diet was adequate.

(*f*) No. He did not pass through Calcutta.

(*g*) He has been released.

Maulvi HASSAN ALI: Will the Hon'ble Member be pleased to state whether with regard to answer (*b*)————(inaudible in the Reporters' gallery)?

The Hon'ble Sir PROVASH CHUNDER MITTER: It was not possible for Government.

Supply of mosquito curtains to the prisoners in Mymensingh Jail.

104. Babu SATISH CHANDRA RAY CHOWDHURY: (*a*) Will the Hon'ble Member in charge of the Political (Jails) Department be pleased to state whether any instructions have been issued to the Mymensingh Jail authorities to permit the friends or relations of the prisoners in the said jail to supply mosquito curtains for the prisoners?

(*b*) If the answer to (*a*) is in the affirmative, will the Hon'ble Member be pleased to state—

(*i*) when were the instructions issued; and

(*ii*) whether it is a fact that the Jailor of the Mymensingh Jail has been refusing to accept the offer of mosquito curtains for the prisoners?

The Hon'ble Sir PROVASH CHUNDER MITTER: (*a*) Yes.

(*b*) (*i*) On 19th February, 1931.

(*ii*) No.

Khan Bahadur Maulvi AZIZUL HAQUE: Will the Hon'ble Member be pleased to state whether the instructions issued refer to both political and ordinary prisoners?

The Hon'ble Sir PROVASH CHUNDER MITTER: I must ask for notice.

Khan Bahadur Maulvi AZIZUL HAQUE: Will the Hon'ble Member be pleased to tell us whether he would be prepared————(inaudible in the Reporters' gallery)?

The Hon'ble Sir PROVASH CHUNDER MITTER: Yes.

Non-official visitors in certain jails.

105. Babu SUK LAL NAG: (*a*) Will the Hon'ble Member in charge of the Political (Jails) Department be pleased to lay on the table a statement showing for the year 1930—

(*i*) a list of non-official visitors to the Hooghly District Jail and the subsidiary jails at Serampore and Arambagh;

(*ii*) the number of days in the roster on which each of them was required to visit the jails;

(*iii*) the number of days attended by each of them; and

(*iv*) whether any of the non-official visitors were allowed to visit the jail on days other than those on which they were asked to attend?

(*b*) Did any of them record complaints of prisoners or offer any suggestion?

(*c*) If so, will the Hon'ble Member be pleased to state the nature of the complaint or suggestion recorded by each of them and the action taken thereon?

The Hon'ble Sir PROVASH CHUNDER MITTER: (*a*) A statement giving the information is laid on the table.

(*b*) and (*c*) In Hooghly Jail two visitors recorded complaints or suggestions once each, regarding supply of soap for washing and oil for inunction and quality of vegetables. Suitable action was taken by the Superintendent according to the rules.

In Serampore Sub-Jail, Munindra Deb Rai Mahasai made some suggestions which together with the action taken on them are shown below:—

(*1*) To supply under-trial prisoners with mustard oil for bathing—Oil was supplied for the purpose every Sunday during winter season.

(*2*) To supply one prisoner with second cloth—Supplied.

(*3*) Shaving and hair-cutting of prisoners—Jail Code rule 660 is followed.

(*4*) Supply of *biris* at prisoners' own cost—This is prohibited under the rules.

(*5*) Supplying one prisoner with tea in the morning—This was supplied.

In Arambagh Sub-Jail—None of the visitors made any complaint or suggestions.

Statement referred to in the reply to clause (a) of unstarred question No. 105.

Names of non-official visitors.	No. of days on roster.	No. of visits by each.	Visits to jails on days other than roster.
HOOGHLY JAIL.			
1. Babu Atul Chandra Chaudhury	2	2	
2. Rai Satis Chandra Mukharji Bahadur ..	3	2	No one visited the jail.
3. Khan Bahadur Muzharul Anwar Chaudhury ..	3	3	
4. Babu Tarak Nath Mukharji ..	3	3	
5. Babu Amarendra Nath Chatterji	3	..	
6. Miss Jean H. Armour (lady visitor) ..	(Not on roster)	2	
SERAMPORE SUB-JAIL.			
1. Babu Purna Chandra Chatterji	17	9	Yes; two visitors visited the jail on two days and seven days respectively.
2. Rai Mahendra Chandra Lahiri Bahadur ..	17	11	
3. Babu Munindra Deb Rai Mahasai ..	8	6	
ARAMBAGH SUB-JAIL.			
1. Dr. Jiban Hari Samanta ..	13	8	No one visited the jail.
2. Babu Satyendra Narayan Addya ..	13	5	

Babu HEM CHANDRA ROY CHOUDHURI: (Inaudible in the Reporters' gallery).

The Hon'ble Sir PROVASH CHUNDER MITTER: It must be. Beyond that I cannot say. If you want any further information, I must ask for notice.

Recruitment of Sanitary Inspectors.

106. Maulvi MUHAMMAD FAZLULLAH: (*a*) Will the Hon'ble Minister in charge of the Local Self-Government Department be pleased to say how many sanitary inspectors have been recruited during the last five years and how many of them are Moslems and non-Moslems district by district?

(*b*) Will the Hon'ble Minister be pleased to state the general policy followed in recruiting sanitary inspectors?

(*c*) Is the Hon'ble Minister aware that the present principle of admitting candidates for sanitary training by district quota secures a less number of appointments to the Moslem community?

(*d*) Is the Hon'ble Minister considering the desirability of selecting Moslem candidates for sanitary training on the basis of the province as a whole and thereafter to distribute successful trained inspectors to the several districts according to their requirements?

The Hon'ble Mr. BIJOY PRASAD SINGH ROY: (*a*) A statement is laid on the table.

(*b*) Government have issued no orders about general policy, but copies of the rules for admission to these classes and a statement of the procedure followed are laid on the table.

(*c*) No.

(*d*) The procedure for admission to the Sanitary Inspectors' Classes and its effect on employment in this capacity among the various communities will be further examined.

Statement referred to in the reply to clause (a) of unstarred question No. 106.

LIST OF SANITARY INSPECTORS EMPLOYED IN THE SEVERAL DISTRICTS UNDER THE RURAL PUBLIC HEALTH ORGANISATION.

	District.	Hindus.	Muslims.	Others.
1.	Burdwan	14	1	1
2.	Birbhum	13	Nil.	
3.	Bankura	18	1	
4.	Midnapore	32	1	
5.	Hooghly	15	Nil.	
6.	Howrah	10	Nil.	
7.	24-Parganas	33	1	
8.	Nadia	22	3	
9.	Murshidabad ..	17	3	
10.	Jessore	22	2	
11.	Khulna	21	1	
12.	Rajshahi	21	3	
13.	Dinajpur	25	5	
14.	Jalpaiguri	7	3	2
15.	Rangpur	22	8	
16.	Bogra	6	6	
17.	Pabna	14	2	
18.	Malda	9	6	
19.	Dacca	26	6	
20.	Mymensingh	27	24	
21.	Faridpur	20	1	
22.	Bakarganj	22	8	
23.	Chittagong	9	9	2
24.	Tippera	15	5	
25.	Noakhali	3	11	

Statement referred to in the reply to clause (b) of unstarred question No. 106.

The usual procedure followed in making selections of the candidates for the Sanitary Inspectors' Class is as follows:—

1. Applications are received and tabulated in the office of the Director of Public Health.

2. On a date previously arranged, these applications are placed before the Selection Committee, constituted under the orders of the Director, and having, as its members, the Assistant Director of Public Health, Presidency Circle, a representative of the Sanitary Engineer, the teacher of the Sanitary Inspectors' Class and myself. The Director of Public Health has presided over the deliberations of the Committee for the last five or six years.

3. All the applications are gone over one by one, district by district, and the merits of each candidate judged.

4. The minimum educational qualification, according to the rules, is the Matric pass certificate. For Hindu candidates, preference is given always to an I.Sc. of whom we get a sufficiency. As regards Musulmans, the paucity of their numbers compels the Committee to accept even a 2nd and not infrequently a 3rd division Matric pass certificate. A similar concession is made for backward communities.

5. After the preliminary selection is made selected candidates are asked by means of registered letters to appear before the Committee, personally, with their testimonials and certificates in original on a subsequent date; these are examined and so is the health of each candidate, after which they are finally selected for admission.

6. There is no definite quota fixed for any district. If sufficient number of candidates is not available for a certain district, the deficiency is made up by drawing upon the neighbouring districts.

BENGAL PUBLIC HEALTH DEPARTMENT.

RULES FOR THE TRAINING, QUALIFICATIONS, DUTIES AND APPOINTMENTS OF SANITARY INSPECTORS IN THE PRESIDENCY OF BENGAL.

I.—Admission.

1. For the training and examination of prospective candidates for employment as Sanitary Inspectors in Bengal, a training class is maintained by the Provincial Government at the Calcutta Technical School, No. 110, Corporation Street.

2. No candidate shall be admitted to the class who—

(a) is not a native of or domiciled in the Presidency;

(b) is less than 20 or more than 22 years of age on the 1st January of the year for which admission is wanted;

(c) has not passed the Matriculation or higher examination of the Calcutta University or the Final Examination of the B Class Examination Board;

(d) does not possess a satisfactory certificate of good moral character from a person of recognised position; and

(e) does not produce a medical certificate of health and physical fitness for active outdoor work from a registered medical practitioner.

3. Every application for admission shall contain the following particulars:—

(a) applicant's name in full;

(b) applicant's religion and caste;

(c) applicant's age on the 1st January;

(d) applicant's native district or permanent domicile;

(e) applicant's place of education (name of school or college);

(f) applicant's educational qualifications (examination and division);

(g) applicant's permanent address with names of nearest police-station, post and telegraph offices;

(h) applicant's certificate of moral character;

(i) applicant's certificate of physical fitness;

(j) applicant's present appointment or employment; and

(k) applicant's full postal address to which communications should be addressed.

4. Not more than sixty candidates shall be admitted to each class, the allotment being made representative of Bengal on the basis of their native districts and religions, as far as practicable.

5. Eligible candidates shall be called for personal interview by the Selection Committee before they are selected for admission.

6. Every selected candidate shall pay in advance a fee of fifty rupees for tuition in each section of the class and a separate fee of five rupees for his examination in each section. No fee once paid shall be refunded under any circumstance. Failed candidates shall pay similar fees for tuition and examination. For securing re-admission, every failed candidate shall apply and deposit his tuition fee within a week of the declaration of the examination results.

7. Every new class shall commence on the first Monday in January and July which is not a gazetted holiday and shall last till the middle of the following December and June, respectively.

Khan Bahadur Maulvi AZIZUL HAQUE: Will the Hon'ble Minister be pleased to state whether adequate steps were taken to advertise these?

The Hon'ble Mr. BIJOY PRASAD SINGH ROY: I have nothing more to add.

Khan Bahadur Maulvi AZIZUL HAQUE: Is the Hon'ble Minister aware that in the district of Mymensingh while there are 24 men there are few in other districts?

The Hon'ble Mr. BIJOY PRASAD SINGH ROY: These appointments do not lie with the Minister; they lie with the local bodies.

Khan Bahadur Maulvi AZIZUL HAQUE: Will the Hon'ble Minister be surprised to hear that the local bodies do not appoint

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Mr. PRESIDENT: I cannot allow you to put a supplementary question in that form.

Khan Bahadur Maulvi AZIZUL HAQUE: Will the Hon'ble Minister be pleased to state whether it is not a fact that it is not the district board but the Director of Public Health who makes these appointments?

The Hon'ble Mr. BIJOY PRASAD SINGH ROY: I must ask for notice.

DEMANDS FOR GRANTS.

The discussion under the head "31.—Education (Transferred)" was then resumed.

Dr. NARESH CHANDRA SEN GUPTA: I was telling the House yesterday, that I was not satisfied that the standard of the Calcutta University had deteriorated. That does not mean that I am satisfied with the standard of the University or of any Indian University. I want the students to work much harder and attain a much higher standard than they do now. With regard to the arguments that were

made regarding the administration of the University, I would ask the hon'ble members to remember that the University ought to be allowed complete control of their administration and these matters ought not to be brought before this Council. This Council, I do not hesitate to say, is not competent to deal with such questions. The University, as has been pointed out by previous speakers, ought to be made autonomous with regard to the details of its administration. The only way in which the Council can control the University is by means of legislation. With regard to this and other matters, I should like to point out that in all matters relating to the University, the paramount consideration ought to be the interest of the students. In all the arguments that have been adduced, I have not heard one word as to how the students of the University, Hindu or Mussalman, have suffered. The first question is how the manner of University administration has affected the students and this point of view ought always to be borne in mind. In regard to this I would ask the House to remember that the University with its expert administrators are in a far better position to judge this than we are in this Council. The question is not how many persons or which person would be able to get the benefit of the University, but how the students are to secure the best advantage and get the best education. It is not a question of Hindu or Mussalman members of the Senate, but a question of how far Mussalman students benefit by the work of the University. There would have been some justification for the grievances made if it had been shown that as a matter of fact, the Muhammadans had suffered any disadvantage in respect of their studies or they have been hampered in attaining to the higher standards. On the contrary, nothing like that has been said by any one.

With regard to the question of Muhammadan representation in the University and various bodies, I agree with my hon'ble friends here who have made a grievance of this. It is a pity that there are not more Muhammadan representatives in the various bodies; this is a matter to be regretted, and I, for one, would be delighted to find Muhammadans and Hindus working shoulder to shoulder in the University. It is one thing, however, to say that there ought to have been more Muhammadans in the University and quite another to say that more Muhammadans must be put in there. You have got to take into account the fact that the Muhammadans as a community were somewhat late in taking to education. Of course it will be recognised that the University is a matter entirely for educated people. As the Muhammadans were late in taking education, the Hindus have had a good start of them. Naturally, therefore, they have got a start in the administration of the University also. That is a historical fact. But the Muhammadans are making headway, they are taking tremendous strides and I am sure that the rate of progress that has been maintained in recent years is not such as to cause disappointment to the

Muhammadan community or to those who are interested in them. It will be remembered that in the Senate of the Calcutta University there are 28 Hindus against 16 Muhammadans; that does not compare unfavourably with the ratio between the number of Hindu and Muhammadan graduates. Well, I am sure, in a very short time this representation will be improved not only by nomination but also by election. With regard to that, I ought to tell the House that seats in the Senate filled by election are voted for by registered graduates. Well, it is up to the Muhammadan graduates to register themselves in sufficient numbers to enable them to stand for election; if they do not do so, it is their own fault. Then it will be seen that out of the total number of seats, 80 per cent. are filled by nomination. And as my friend Sir Jadu Nath Sarkar has pointed out, in making nominations the authorities have not a completely free hand. Therefore, I think, that although we might desire to see a larger number of Muhammadans in the Governing Body of the University, it will take a little time to make up the number. These are the things we have got to take into account when you are considering the University Act with regard to the representation of the various bodies associated with the Senate. Well, Sir, all things being considered, I do not think there is any cause for disappointment by my Muhammadan friends. In any case I would ask my Muhammadan friends to remember that in these matters the paramount interest is the interest of the students. I do not think that by insisting on communal representation in the various bodies, they are really serving the best interests of the students of their own community. I do not want to go into further detail into this matter, but I will say that as soon as you recognise that a person has got to be placed in a position in which he will be able to control the educational policy not by reason of specific qualification but by reason of community to which he belongs, you are making for trouble for students. I am speaking this from my personal experience in another University, but I do not want to go into further details.

Maulvi ABDUS SAMAD: Mr. President, Sir, I cannot congratulate Khan Bahadur Asizul Haque for raising the communal question in the spirit in which it has been raised, and for his sweeping imputation of partiality levelled against the University authorities in the matter of employment of Muslim candidates, specially at a time when both the Education Minister and the Vice-Chancellor happen to be Muhammadans. As regards the specific instances of partiality, referred to in Khan Bahadur's speech, Mr. S. P. Mookerjee has given a fitting reply and I cannot add anything more to it. Sir, in making the imputation, the Khan Bahadur has taken up an attitude which is quite inconsistent with his views in politics and education. He belongs, I believe, to that section of the Muslim community who have been proclaiming from the house tops that the Hindus are our enemies and are, therefore,

unworthy of our trust, and for that reason advocate segregation in politics and education. It is undignified for a man to seek favour from another whom he cannot trust and whom he regards as his enemy. This attitude is just like the attitude of a man who places one hand at the throat and the other at the feet of another. The sooner the Muslim community gives up this policy and attitude, the better for the community. Sir, the Hindus are not angels. They are after all human beings and as such must have the weaknesses and frailties common to all human beings. There are selfish Hindus who may be unsympathetic towards the Muslims, but to impute selfishness and partiality to the Hindu community as such is nothing short of gross perversion of truth. I can say, Sir, from my experience of 25 years of public life that the heart of the great Hindu community is all right. They are dying for unity and co-operation and in the larger interests of the country are prepared to be not only just but generous towards the Muslims in the settlement of communal problems, including services and other matters. But we have been persistently rejecting their offer of friendship and co-operation and following the suicidal policy of separation and distrust, we are always inclined to magnify their faults and shortcomings, but forget to acknowledge our indebtedness to them. We forget that the magnificent endowment of Rs. 50 lakhs, referred to by Mr. Syamaprosad Mookerjee, is intended for the benefit of all classes of students irrespective of their caste or creed. We forget that 99 per cent. of the private schools and colleges are maintained and financed by the Hindu community and therein special facilities are provided for the education of the Muslim students. Assuming for the sake of argument that the Hindus are wicked and selfish, what do we expect to gain by following a policy of separation? The interests of the two communities are inseparably interwoven, and one cannot do without the help and co-operation of the other. From my ten years' experience as vice-chairman of the Murshidabad district board, I know that we gain much by co-operation. I have, by appealing to the sense of justice of the Hindu chairman and the Hindu members, secured many advantages and benefits for my community which they did not previously enjoy. If our claim be just and right, and pressed in a spirit of sweet reasonableness, it is bound to appeal and meet with success. Sir, there is another aspect of the question. The Hindu community happen to occupy a predominant position in every sphere of life, and as such are in a position to do great harm or good than the Muslims. Self-interest, if nothing else, demands that we should court their friendship and not their displeasure. Unfortunately, Sir, there is a section of the Muslim community, a small but influential section, who, for their own personal interest, are prepared to betray the cause of the country and even of their own community. I refer, Sir, to their attitude towards the question of [illegible]. They know that the system of communal electorates has

done them more harm than good, they know that it has alienated the sympathy of the Hindus towards the Muslims, and has brought in its train communal tension and communal riots; they know that under such a system fanaticism and conservatism has been given an opportunity to exercise a baneful influence in politics and has thereby retarded the much needed social reforms and educational progress among the Muslim community to a very large extent. They know all this and still they must have separate electorate. I have reason to believe, Sir, that the Muslim communalists are playing the game of the bureaucracy and are helping it in its policy of divide and rule. They pose as the friends of the Muslim community. God save the Muslims from their so-called friends.

3-30 p.m.

Sir, the Muslims complain of their backwardness in education and other matters. Backward they are, but pray who is responsible for this? Sir, the Muslims of India, like the Jews of the old, are labouring under a mistaken notion that they are the chosen people of God and that their deliverance would come from Heaven without any effort or sacrifice on their part. This is a sad delusion. God never helps those who do not know how to help themselves. We fail to move with the time, we fail to understand the real teaching of the Great Prophet of Arabia; but instead we stick to mere dogmas and formalities which retard human progress. "Seek knowledge from the cradle to the grave," "seek knowledge even if you get it in China," "the acquisition of knowledge is equally compulsory to men and women" are a few of the sayings of the Great Prophet. The knowledge at one time was interpreted as religious knowledge to be acquired through Arabic and this is the reason why the Muslims took to English education at least 50 years later than the other communities. Now, though their idea of knowledge has changed, the fascination of Arabic, Persian and Urdu still remains. A Bengali Muslim student must learn all these foreign tongues besides English and how can he be expected to compete with the Hindu students? Sir, Bengal contains about one-third of the total Muslim population of India. They speak the same language with the Hindus of Bengal and their culture, manners, habits and mode of living are more akin to the Hindus than to the Muslims of Western India. But poor Muslims of Bengal! Their educational policy is entrusted to and shaped by persons who have not only no touch with the vast Muslim population of Bengal but whose cultural affinity is more akin to Muslims of Western India than to Muslims of Bengal; the result has been disastrous. The system of education prevailing in maktabs and madrasahs is against their taste and genius, but still they must submit to it. The system of segregation in education has been

strongly criticised in the Hartog Committee Report and also in the annual Education Administration Reports of Bengal but to no effect. Then take the case of female education. The same spirit of conservatism, which stood in the way of the education of the Muslim boys, stands now in the way of the education of Muslim girls. Sir, *purdah* and female education cannot go together. If the Muslim leaders are really anxious to educate the Muslim girls, they must take steps to relax the rigidity of the *purdah*. But this all-important social reform they do not venture to initiate for fear of offending the Mullas whose support, under the present system, plays a very important part at the time of Council elections. Sir, the laws of nature are everywhere the same and equally applicable to all. God has not made different laws for the Muslims. If they fail to follow these laws, they must lag behind in the race of human progress. No useful purpose would be served by accusing the Hindus of partiality and communalism.

Sir, at this critical juncture of Indian Mussalmans, a leader of the calibre of Sir Syed Ahmad is absolutely necessary. But under the existing constitution the advent of such a leader is well-nigh impossible.

I cannot conclude my speech without drawing the attention of my Muslim friends to the well known couplet of the great Persian poet Sadi, which, when translated, runs thus: "I am afraid, oh! Ye pilgrim, you will never reach your place of destination, *viz.*, the Holy Kaaba, because the path you are following would lead you to Turkestan and not to Mecca."

Mr. W. L. TRAVERS: Mr. President, we British hesitate very much to take part in a debate which has become communal, because we are charged with keeping alive the embers of the fire of communalism. I take this opportunity of denying that accusation.

But in regard to this debate, it seems to us that there is one distinguished Muhammadan gentleman at the head of the Education Department, and another the Vice-Chancellor of the Calcutta University, Mr. Nazimuddin and Colonel Suhrawardy. These gentlemen have our confidence. They have the confidence of the public in regard to education and to the University, and the Muhammadan community may feel assured that their interests are safe in hands so reliable. Sir, Mr. Syamaprosad Mookerjee who spoke last evening impressed us very much. We admired his earnestness and his obvious sincerity and we feel assured that if the affairs of the University are conducted upon the lines so eloquently indicated by Mr. Mookerjee there can arise no communal question at all.

As one who is outside both communities, I hope that both Hindu and Muhammadan members will let the debate cease. Feelings are

being lacerated, and harm is being done to the cause of good fellowship between the two communities, and that is all important for the future (applause).

Mr. NARENDRA KUMAR BASU: I move that the question be now put.

Mr. PRESIDENT: I think this matter has been debated for quite a long time, but I have already called out Maulvi Syed Majid Baksh's name and I should give the Hon'ble Minister an opportunity to speak. I shall, if required, put the motion for closure after that.

Maulvi SYED MAJID BAKSH: Sir, I confess I do not know much of the University and I do not claim to speak with knowledge and authority on the subject as Khan Bahadur Maulvi Azizul Haque who has access into the innermost recesses of the University. But I for one can tell you that I had not been as bad a student of the University as Maulvi Abul Kasem pretends to be. Sir, I am particularly unfortunate in not listening to the speech of Mr. Syamaprosad Mookerjee as I was absent from the Council at the time. I wish, however, to refer to the reported speech in the newspapers and I hope if I am wrong I shall be corrected. I do not agree with him when he says that as Rs. 50 lakhs have been contributed by the Hindu community and no contribution has been made by the Muhammadan community, respective advantages should be devoted in proportion. (MR. SYAMAPROSAD MOOKERJEE: I never said so). I stand corrected, Sir, that will not impair the force of my argument. I submit that in many universities endowments were made by private persons solely for the sake of the pursuit and advancement of knowledge. I would request my hon'ble friends to consider whether the Calcutta University could not have made a provision out of Rs. 6,50,000 for teaching something about the Muhammadan history. If you are to ask any student of the University —either a Hindu or a Muhammadan—whether he knows anything about the contributions of the Muhammadans towards mathematics and science, you will be surprised that they are ignorant. Even if you ask a Muhammadan student whether he knows anything about the 7th Khalif he will not be able to tell you. My hon'ble friend, Khan Bahadur Maulvi Azizul Haque, told the House yesterday that Muhammadans were not so black as they are painted. I do not know whether the Hindus have painted them black and if anybody has painted them whether the Hindus are responsible for it. In the Indian history the Muhammadans are painted very black and one of these historians sitting in England has drawn his facts from sources which are very

unreliable. We also find that things have been put into history which later researches have proved to be wrong. So far as the interest of the students are concerned, I quite agree with Dr. Sen Gupta but it is not the interest of the students alone with which we are concerned. The University has got to look to the interests of both the communities. The first and foremost duty of the University should be to teach every community from their past history and their civilization. I ask what provision has the University made for teaching the Muhammadan their past history and of their scientific attainments. It is not known to the average students of the University what attainments were achieved by the Muhammadans in the realm of science, mathematics and philosophy. They do not know that it was a Muhammadan who first discovered the cubic equation. They do not know that it was the Muhammadan scientist who first discovered the refraction of light. It is impossible either for Hindu or for Muhammadan students to know all these. All that they know is that it was discovered by Roger Bacon. They know that it was Galilio who first invented telescope. They do not know that the telescope was invented by a Muhammadan astronomer in Alexandria years before Galilio who was known and it was he who first pointed it to heaven to locate the different positions of the planets. These are things which our students are absolutely ignorant of. I may remind my esteemed friend Mr. Mookerjee that endowments are made in the University for the sake of gaining knowledge and not for the benefit of any particular community. What are these contributions for but to the pursuit of knowledge?

3-45 p.m.

These are the various other things which should be considered and which ought to weigh with the University before they can claim any adequate consideration of the respective interests of the other community. Sir, the time is short and I shall not detain the House any longer.

The Hon'ble Mr. KHWAJA NAZIMUDDIN: Sir, in view of the appeal made by Mr. Travers I do not think it advisable to pursue the communal aspect of the question that has been raised here to-day, but Maulvi Abul Kasem has, in the course of his speech, made certain charges against the Calcutta University in regard to the deterioration in the standard of education of the Calcutta University. In this connection Sir Jadunath Sarkar and Mr. Syamaprosad Mookerjee have stated certain facts. Dr. Naresh Chandra Sen Gupta has told us that the sole test of the efficiency of the University is the success which its students achieve in the field of research. I am afraid I do not agree with him nor do I think will any educationist support him. From

the facts and materials available it is apparent that there is a deterioration in the standard of education in Bengal, but I do not think it is fair to lay all the blame for this deterioration on the shoulders of the Calcutta University. I think there are three reasons why education in Bengal has deteriorated. First of all it is due to the fact that the University of Calcutta is responsible for certain phases of the secondary education in Bengal, secondly, there is a dual control over secondary education. A university is never supposed to take up the work of secondary education and it is not possible for a university like the Calcutta University to look after over 2,000 high schools covering an area comprised in the provinces of Bengal and Assam. They have not got the inspectors nor the time to do justice to the work and naturally the education imparted in high schools is not satisfactory. There is also the other factor that the University of Calcutta has to depend to a large extent on the fees that they derive from the examinations and various other sources such as text books for matriculation examinations. However keen the Calcutta University may be in maintaining its standard, it has got to live and it is bound to effect in lowering the standard. The third, and the chief reason, is the lack of funds and the financial stringency in this province. When we compare the advancement of education in the provinces that have done very well during the last 10 years, we find that they had very large balances, for example, the provinces of Punjab and Madras and these are the provinces that have gone ahead: it is only because they had plenty of money. Their department of education had never to wait to give effect to any scheme that they brought forward, they got money whenever they asked for it, whereas in Bengal the past history tells us that for the first four years of diarchy there was continuous retrenchment; for the next first three years there was some money available but again there was retrenchment. The result is that practically from the bottom to the top, the department has got schemes ready for improvements and for introducing up-to-date and necessary reforms, but for lack of funds it is not possible to give effect to them. Let me refer to secondary education once more. If Government to-day had money, it would be possible for them to go to the University and say that we are prepared to compensate you for the loss you will suffer by giving up the control of secondary education. This will remove the dual control and it will be possible to improve the standard of secondary education. Another problem facing secondary education is that the number of schools has increased to a very large extent. The solution is that either Government should reduce the number of schools or find sufficient money to give grants-in-aid to all these schools so that they can impart a uniform standard of education. Therefore the real reason why we in Bengal lag behind and why our education has deteriorated is the want of funds. (A VOICE: Lack of ideas.) Ideas there are plenty and schemes we have many in number and it is very unfortunate

to be told that we lack in ideas. (A VOICE: Deprovincialise the schools): I think I successfully proved at the last budget session that deprovincialisation will not help to solve the secondary education problem of this country. I made it clear that that was not the solution of the difficulty; by deprovincialisation you cannot help either the aided or unaided schools. The only thing you will be able to do is to reduce some of the good schools to the level of bad ones.

As regards the grievances of the Moslem community, all I can say is that these are matters which may be brought up when the University Act is amended. Government got one of their officers to draft a Bill; it has been drafted and sent to the Calcutta University for their opinion. After Government receives the opinion of the Calcutta University on that Bill, they will come to a decision and I am sure the Government will duly consider what has been said to-day.

Now, I will refer to the point raised by Maulvi Abdul Hamid Shah and that is the existence of a rule that a certain amount of money should be deposited by the high schools before getting affiliation. Sir Jadunath Sarkar has pointed out the necessity of this rule, and as far as we are concerned we consider that if there has been any mistake on the part of the University, it has been on the other side, that is, in granting affiliation to the schools before being assured that they would be able to keep up the standard. I am afraid I cannot agree with my friend that the University is wrong on that point. But I agree with him that this is a matter which requires serious consideration and it may be considered both by the University and the Government as to how we are going to start schools in those areas where there are people not rich enough to contribute the amount required under the rules. With these few words I would request the members not to press their motions, because it is not possible at present to redress their grievances so far as the constitution of the University is concerned. As regards the representation of the Moslems on the administrative bodies, that can only be rectified when the new University Bill is passed. With regard to the appointment of Mussalmans in the University, I may tell the House that the question should be placed before the University where we have now got a Muhammadan Vice-Chancellor who has the support and co-operation of the Senate and the Syndicate, and if he places the grievances of the Mussalmans before them, I am sure they will favourably consider them.

The following motion of Maulvi Tamizuddin Khan was then, by leave of the Council, withdrawn:—

"That the demand of Rs. 4,44,123 under the head '31A.—Education (Transferred)—University—Grants to Calcutta University' be reduced by Rs. 1,000 (administration of the University)."

The following motion of Maulvi Abdul Hamid Shah was then, by leave of the Council, withdrawn:—

"That the demand of Rs. 4,44,128 under the head '31A.—Education (Transferred)—University—Grants to Calcutta University' be reduced by Rs. 500 (to raise a discussion on the question of University administration in connection with the affiliation of high schools)."

The following motion of Maulvi Abul Kasem was then, by leave of the Council, withdrawn:—

"That the demand of Rs. 4,44,128 under the head '31A.—Education (Transferred)—Calcutta University' be reduced by Rs. 100 (to draw attention to the fact that the interests of Muslim graduates are neglected and further to draw attention to the fact that the University is gradually deteriorating)."

Khan Bahadur Maulvi AZIZUL HAQUE: Sir, before I beg leave to withdraw the motion that stands in my name, may I with your permission make a brief statement?

Mr. PRESIDENT: Yes, you have my permission to make a brief statement.

Khan Bahadur Maulvi AZIZUL HAQUE: Nobody is more sorry than myself at the unfortunate turn the debate took. When I said about the tactics of the University, I never meant any reflection upon any person in the University, but I know perfectly well that the University is run more on the principle of caucus than of communalism. I hope this explanation of mine will be accepted.

The following motion of Khan Bahadur Maulvi Azizul Haque was then, by leave of the Council, withdrawn:—

"That the demand of Rs. 4,44,128 under the head '31A.—Education (Transferred)—University—Calcutta University' be reduced by Re. 1 (to consider the need of a statutory grant for the University of Calcutta, to recommend the early introduction of Calcutta University Bill and to make adequate provisions for Mussalmans representation in the different bodies of the University under the provisions of the Bill)."

The following motion of Khan Sahib Maulvi Bazlul Huq was then, by leave of the Council, withdrawn:—

"That the demand of Rs. 4,44,128 under the head '31A.—Education (Transferred)—University—Grants to Calcutta University' be reduced

by Re. 1 (to draw attention to the inadequate representation of the Mussalmans in the bodies of the Calcutta University and in the ministerial staff)."

Mr. PRESIDENT: I may remind the House of the second group which I had formed. It consists of motions Nos. 540, 541, 542, 544, 545, 547 and 548, dealing with the policy of Government with regard to the University and statutory grants.

4 p.m.

Mr. SYAMAPROSAD MOOKERJEE: Sir, I beg to move that the demand of Rs. 4,44,128 under the head "31A.—Education (Transferred) —University—Grants to Calcutta University" be reduced by Rs. 100 (policy pursued by Government towards the University).

Sir, I must in the first instance apologise to the members of the House for raising a discussion on the Calcutta University once again. But on this occasion there is no risk of any communal question being raised. As you have ruled, the motion that I have given notice of will deal with the general policy pursued by Government towards the University and in particular its financial position. Sir, I should like to draw the attention of the House to the two-fold activities of the Calcutta University. In the first place, it is a University which is entrusted with the work of conducting very big examinations throughout the year. It is also an affiliating University having control of affiliation, subject to the final sanction of the Government of Bengal, over 60 colleges throughout Bengal and Assam. It has also the statutory right of granting or refusing recognition to high schools throughout Bengal and Assam which number about 1,200 at present. Sir, I am not going to refer to that side of the University activities to-day. The other activity of the University is in reference to the teaching arrangements which it has made—arrangements for which it has been made responsible by regulations which were sanctioned by the Government of India several years ago, post-graduate teaching and research both coming within its purview. I may just for a moment invite your attention to the provisions of the Indian Universities Act, which was passed during the Viceroyalty of Lord Curzon in 1904, and which in fact governs the administration of the Calcutta University now. In accordance with the provisions of that Act, it is one of the duties of the University to arrange for higher teaching and research. Previous to 1904 it was thought in the academic world, so far as the Government of India was concerned including Provincial Governments, that the function of a University was only to conduct examinations and grant affiliation. It was laid down for the first time under Lord

Curzon's Act, however much it may have been criticised for other reasons, that one of the primary functions of the University was to make adequate arrangements for higher teaching and research. In this connection I cannot but refer to-day to that staggering statement which was made by the then Director of Public Instruction, Sir Alexander Pedlar, in the Viceroy's Council, when the Indian Universities Bill was under discussion. Sir Alexander Pedlar, himself a Fellow of the Royal Society, was so much carried away by enthusiasm as to what his own countrymen could achieve in the domain of learning that he did not hesitate to run down Indian talent and declared that Indians were, as a rule, incapable of doing any original work or original research. This statement will be found in cold print in the proceedings of the Governor-General's Council, published under the authority of the Government of India. The Calcutta University, if I may say so, accepted this challenge which was thrown out by Sir Alexander Pedlar in 1904. Since the passing of the Act, the University has made arrangements for imparting higher teaching and research within its jurisdiction and the works of the distinguished band of Indians, who have been trained up in methods of original research in different branches of studies, have challenged the admiration of scholars in India and abroad. To this aspect of the University activities specially I want to invite the attention of the House to-day. In 1917, as a result of certain recommendations which were accepted by the Government of India in consequence of the report of a committee which was appointed by them, post-graduate teaching and research in Calcutta were left to be taken charge of by the University and the University alone. It is not my purpose to-day to recall the bitter controversies that passed between the Government on the one hand and the University on the other during the earlier stages. I shall at once come to 1925. Sir, in 1925 the Government of Bengal decided to make a grant to the Calcutta University for the purpose of stabilising the post-graduate department; it was made for a period of five years and amounted to Rs. 2,43,000 with a contingent liability of Rs. 57,000. In 1930, towards the end of May, the five-year arrangement with the Government expired and the University was faced with the question of approaching Government for a further suitable grant. In this connection I would draw the attention of the House to the steps which the University took before it formulated its proposals and placed them before the Government of Bengal. In December, 1928, a representative committee was appointed by the Senate which was presided over by Dr. Urquhart, the then Vice-Chancellor of the University, for the purpose of considering the schemes which would be placed before Government for financial support. I would just ask the indulgence of the House for stating the names of some of the members of the committee. The committee, as I said, was fully representative in character. It consisted of the representatives of the Government of

Bengal in the persons of the Director of Public Instruction (Mr. Stapleton), Mr. Ramsbotham, the then Principal of the Presidency College, and Dr. Jenkins, thus representing different shades of opinion —within the Secretariat itself—reactionary, liberal and progressive. Coming to the non-official side, we had distinguished representatives in the persons of *ex*-Vice-Chancellors, Sir Nilratan Sircar, Sir Debaprosad Sarbadhikari and Sir Jadunath Sarkar. We had distinguished Principals like Principal Heramba Chandra Moitra, Dr. G. Howells, Principal of the Serampore College, and others, and last but not the least we had our friend Khan Bahadur Azizul Haque. The committee held 77 sittings in all and as a result of its deliberations formulated a comprehensive report which was duly placed before the Senate. The Senate spent 10 days in considering the report. There were about 200 amendments which were discussed and disposed of by the Senate and the report finally adopted with certain modifications. The report was then transmitted to Government in about July, 1930. Here I would state that the term of appointment of more than 100 teachers who were working under the University expired on the 31st December, 1930. We sent our report to Government in July, 1930, so as to make it possible for them to let us know in due time what amount we could expect from Government before the expiry of the term of our teachers. We received a reply from Government only about a week ago. Sir, in the absence of any definite information as to what was going to happen with regard to the grant, in December last we re-appointed our teachers only for a period of five months. I am sure the House will agree that this is a most unsatisfactory arrangement. The teachers of the University, who are distinguished graduates and who have rendered loyal services to their *alma mater* for 10 or 15 years, should be at least given security of tenure. It is ridiculous that the University should be compelled to give them what looks like monthly appointments. Only last week we had a conference with His Excellency the Chancellor about this matter. Sir, I am not going to disclose what happened at the conference for I know it is confidential. The University was, however, extremely anxious to secure the powerful assistance of its Chancellor in order to fight the Governor of Bengal and the Minister for Education. The letter which we received from Government has indeed filled the University with serious misgivings. I am not going to take you through the details of the letter because that is still a matter for consideration between Government and the University. But, Sir, it is my duty here to raise certain fundamental questions which clearly arise out of the letter. In the first place it will be recognised that the University has an unanswerable claim to support from the public treasury. In 1925, when the grant was made by Government, Lord Lytton in his capacity as Governor and Chancellor assured the University that the post-graduate department would be stabilised. So far as the general question of Government making

grants to the University is concerned, it is consistent with the policy which has been adopted by the Home Government in relation to the universities of Great Britain. It is also consistent with the policy adopted by other provincial Governments with regard to universities within their jurisdiction. About a fortnight ago we addressed the different universities in India and we wanted to know the total income of each of these universities and the contributions which they receive every year in the shape of recurring grants from Government. I hold this paper in my hand and I find that almost every university in India receives a recurring grant which is certainly proportionately more handsome than what the Calcutta University receives in relation to its income from fees and endowments. So far as the policy of the Bengal Government is concerned, even with regard to the Dacca University the same policy is pursued, and I have no doubt that the Government of Bengal will not hesitate to treat the Calcutta University in a similar manner.

The second point is that the Government of Bengal must recognise that the University is not approaching Government exactly as charity boys. They are not approaching Government with a begging bowl in their hands. There is a constitution which the University enjoys and when the grant is made it must be assured that it is not made subject to conditions which it would be impossible for the University to accept. Here I should make my position perfectly clear. I fully realise that Government as the custodian of public funds has every right to be assured that the money which is made over to any public institution is spent properly. To that extent control is given to Government under the provisions of the Indian Universities Act. There is an annual audit which is held under the authority of Government; there is no question of maladministration or misappropriation of anything of that sort by the University. What I mean is that there must not be any attempt to interfere with the academic freedom of the University. I know that is a very hackneyed expression, but in the absence of anything better or equally strong I feel compelled to use it. Sir, there must be no attempt on the part of Government to dictate academic policy to the University. That is a question which in the best interest of educational progress must be left to the University itself.

Sir, the next question is that it is absolutely necessary that there should be an early settlement of this problem. It has been pending before Government for more than a year, and on their decision rests the fate of so many of your own countrymen who have dedicated their lives to the cause of advancement of learning and have served the University loyally and conscientiously during the last 15 years. We have put forward our demand. We are in receipt of a recurring grant of Rs. 3 lakhs now and in order to give effect to our scheme of reorganisation, we have put forward a demand for a recurring grant of

Rs. 6,66,000. That is the demand which has been put forward by the University. In the letter which the Government has written, it is stated that it will not be possible for Government to meet the entire demand which the University has made. I do not want to take up an unreasonable attitude. I quite appreciate, Sir, the supreme difficulty of Government in the Ministry of Education to get money from other departments such as police, law and order and to spend it on education. But there must be an immediate statement of policy on the question as a whole. The point is how is the situation to be met by Government. There are two alternative ways of doing this. In the first instance, Government might decide the amount which it is going to give to the Calcutta University and ask them to cut their coat according to their cloth. We shall then have to make necessary arrangements in relation to the funds at our disposal. The other alternative method is for Government to discuss the matter with the University and then to settle the amount of grant. In the Government letter to which I have just now referred it is suggested that a committee should be appointed by Government. If the committee is appointed only for the purpose of scrutinising the financial scheme which has been put forward by the University on the basis of the report, it is one thing; but if the committee is appointed, as is suggested in the letter, to sit in judgment over the various portions of the report submitted by the University after the fullest consideration, I maintain, Sir, that that will be an unwarranted interference with the rights of the University. I will ask the Hon'ble Minister to do exactly what was done in 1925 when Lord Lytton was the Governor of Bengal. Exactly a similar situation arose and a conference was summoned at Darjeeling. The conference was presided over by the Governor and the University representatives were asked to state their case and the Government representatives were asked to meet it. At one sitting, with the Chancellor-Governor presiding, we came to an agreed conclusion as regards the main principles. Then the Governor withdrew. In the latter meetings the then Hon'ble Member in charge of the Education Department, Sir Abdur Rahim, presided and in two or three sittings we came to an agreed settlement. Sir, it is thousand times desirable that the same procedure should be adopted on this occasion also and the matter brought to an early settlement. There is no question of a committee, far less of decisions arrived at by voting.

Sir, so far as the post-graduate department is concerned there is no doubt, I maintain, that the department has done splendid work. I do not know what opinion the Principal of Kayastha Pathsala holds about the work of this department. But distinguished scholars, both in India and abroad, have eulogised the work of the teachers and professors of this very department. This is a fact which has to be acknowledged as true, although in some quarters there is a talk of deterioration of the

standard of the Calcutta University. Our men have gone out to different provinces on invitation, have accepted responsible appointments and have shed lustre on the different branches of learning in the Department of Education. Look at the University of Dacca. There the principal teachers are those very persons who were University lecturers here. Look at Bombay, Madras, Allahabad, Colombo, Lucknow, you will find the products of the much-maligned Calcutta University as builders and pioneers of schools of advanced study and research. Last but not the least during the last few months one of our professors, Sir C. V. Raman, has been the first Asiatic to receive the Nobel Prize for Science. So far as Sir C. V. Raman is concerned it is a well known fact that it was the Calcutta University and the Calcutta University alone which first offered him facilities for higher work which made him resign his lucrative appointment in the Indian Finance Department and devote himself to the cause of science. Sir, what I claim is that this department, during the last fourteen years of its existence, has amply justified itself. It is a national asset of which every Indian ought to feel proud. If there are defects let us by all means co-operate in removing them but it must at any rate be given sufficient funds so that it might live and not die a premature death.

Khan Bahadur Maulvi AZIZUL HAQUE: Before I rise to give my support to Mr. Syamaprosad Mookerjee in the motion he has moved as regards the question of the policy, might I remind the House that whatever may be the nature of our differences, this question of the policy pursued by Government towards the Calcutta University is of paramount importance. The Calcutta University is our *alma mater*. Sir, I am afraid I do not see eye to eye with him in what he says regarding the Calcutta University. We know as far as the standard is concerned this has deteriorated. In the University where there are so many students and so many colleges and schools to look after you cannot in one school be able to keep up to the highest standard. If you look at the history of the Calcutta University, you will find that the history of the last 15 years has been one of struggle. In spite of these difficulties, the University has maintained its paramount position among the universities of the world and in the midst of our national life. I would state that the Calcutta University has fully maintained its distinctive position in every sphere of life in the intellectual world. I do not believe that it would have been able to maintain this position and the post-graduate department should not have lived a day more unless you had professors like Sir C. V. Raman who got the Nobel Prize and was in charge of the Science Branch of this very department. I frankly admit that if a few more universities were started to-day with the experience we have had of the last 60 years, it may be possible for us to make more headway. A good deal of progress might have been possible under the circumstances, but this could not be attained

without a struggle. If you are short of funds just now you cannot easily turn away your officers unceremoniously without some justification and I maintain that people have a moral right to challenge their notice of discharge. That is why, even though many economies may be necessary and many retrenchments are carried out, such retrenchments are not always possible. The Reorganisation Committee worked hard and tried to effect retrenchment, but retrenchment could not do away with the history of the last 60 years and I maintain from that point of view the Reorganisation Committee, even though it considered and as it looked from every point of view, found it difficult to find what retrenchment was possible. In the circumstances, I do consider that a time has come for the intellectual life of Bengal to see what settlement could be arrived at, and what help we could get from Government. I do not say what amount must be given, but I maintain that it must be regularly continued. I do maintain, in the interests of academical life of the presidency, that whatever may be the nature of the annual grant, that grant should remain on a statutory basis. Personally I realise the difficulty of discussing the affairs of the University in this Council and also realise that the debate might take a very acrimonious turn. That is the sort of thing we want to avoid. But I do consider that a statutory guarantee should be given and that quickly by an amendment of the University Act consistent with the experience of the last 60 years, to maintain the University life of this presidency. Therefore my suggestion is that Government should be pleased to bring an University Amendment Bill at an early date. Then as regards Hindu-Muhammadan representation, that question should be solved for and ever when the question of the statutory guarantee for the Calcutta University is taken up. It is now an accepted fact all the world over that while certain essential control is necessary over the University, we cannot allow our university life to be controlled by outside agency. That principle has been accepted all the world over and in that point of view I maintain that the Legislative Council has no legitimate right to interfere with university life nor to decide upon the policy of internal administration.

Babu SATYENDRA NATH ROY: Sir, during the general discussion of the budget in February, 1930, I drew the attention of this House to the urgent necessity of making a statutory provision for payment of a fixed minimum grant by Government to the Calcutta University.

Other members before and after me, on various occasions have been trying to impress upon the Government and the Ministry of Education the desirability of having such a statutory provision and I am very glad to find my friend Khan Bahadur Maulvi Azizul Haque, a

representative of the Muhammadan community, not less a representative of the educated community of Bengal, has also come forward with such a demand.

Sir, we are all aware how the University with all its post-graduate departments are always in a handicap in the matter of finance for want of such a fixed statutory grant.

For these few years what happens is this. The terms of professors in the post-graduate departments are about to expire. There are no funds, no promise by Government; but correspondence is carried out about retrenchment. Princely benefactions like those from Sir Tarak Nath Palit or Sir Rashbihari Ghose or Kumar Guru Prosad Sing do not come every year. The University authorities who, I think, can be credited with a sense of responsibility have always been begging and crying to Government to save them from this financial situation. Sir, I appeal to the Hon'ble Minister for Education to save us from such unedifying sights.

4-30 p.m.

The Dacca University was created after the annulment of the Partition of Bengal with a capital grant of Rs. 50 lakhs from the Imperial revenues with the object of furthering the education of the people of Eastern Bengal and particularly of the Muhammadan community. It was a very noble object and worthy of the Viceroy who created that University. After the inauguration of the Montagu-Chelmsford reforms it was thought necessary to fix by a statute an amount of grant for the maintenance of that University as the same was in its infancy and had not sufficient revenue at its command. Sir, the Calcutta University, the oldest and the premier University in India, was the beginning of a great era—an era of real administration and an era of real uplifting of the people who had fallen back during the last few centuries. If the Dacca University was a commitment of a great Viceroy, the Calcutta University was a commitment of the British people, the Government of India and all the successive Viceroys in India who happened to be its Chancellors. The post-graduate departments of the Calcutta University were established by order of Government on the recommendation of a committee composed of very eminent educationists and its post-graduate departments were fast growing when Dacca was in its infancy. I do not know why at the time when the statutory provision for the Dacca University was made, similar provision was not made for the Calcutta University. I think we had no Ministry of Education then. The other provincial Governments make recurring grants to their universities. The present conflict between the Ministry of Education and the Education Secretary on the one hand and the authorities of the Calcutta University on the

other, over the grant and the over-zealousness of the Ministry of Education in putting the pruning knife beyond all reasonable limits lends additional strength for the plea for an immediate statutory provision for the Calcutta University. I hope the spirit, the enthusiasm which actuated our Minister of Education, when the Primary Education Act was passed, would actuate him now. Sir, I would mention another matter in this connection. It is said outside this Council that the European community is unsympathetic towards the aspirations of the educated community. I would like to see that there is no justification for the suggestion that the European community as a whole is unsympathetic to the educational aspirations of the Bengalee community. I am glad to listen to the sympathetic words from Mr. Travers this morning and I can say to the European community and to the outside public this: that even if British administration does not continue in this country, even if British trade does not flourish, the universities in India and specially the Calcutta University will remain as a lasting monument of Britain's work in India.

Mr. PRESIDENT: I may say that the guillotine will fall at 5-47 p.m.

[At 4-35 p.m., the Council was adjourned for prayer and it reassembled at 4-45 p.m.]

MUNINDRA DEB RAI MAHASAI: In supporting the motion of my friend Mr. Syamaprosad Mookerjee, I should like to confine my observations to one aspect of the University administration—it is the administration of the University library. The University library is one of the best libraries that we have in this presidency, but it is unfortunate that the services of trained librarians have not been requisitioned to turn it into an up-to-date institution like that of the Madras University library. I want to draw attention to the undesirability of reserving the University library within the narrow groove of the University students and professors. What I want to impress upon this House is the necessity of affording adequate facilities to the wider public to take advantage of the treasures stored in the shelves. In spite of the existence of the Connemara Library and other good libraries in the city, the Madras University library has flung open its doors to the public and is doing marvellous work in the spread of adult education in that presidency under its able Librarian, Mr. R. S. Ranganathan, the only library expert in India possessing special training in library science from abroad. The other point to which I wish to draw attention is the opening of a class for the training of librarians. In some of the universities of the West, degrees are conferred on librarians.

Mr. PRESIDENT: What has that got to do with the present discussion? There are only two matters before the House now: dealing with grants to the University and the policy of Government towards the University. You can speak on any one of them.

MUNINDRA DEB RAI MAHASAI: Very well, Sir. Another object of mine is to draw the attention of the Hon'ble Minister of Education to the inadequacy of the grant provided for the Calcutta University. I am not at all connected with the Calcutta University except that I am proud of the fact that I have studied under its banners. I do not grudge a grant of Rs. 6,24,016 to the University of Dacca, but I sincerely feel that the grant of Rs. 3,71,000 as a recurring grant to the Calcutta University is so hopelessly insufficient that I submit this House has a right to ask why such a differential treatment is meted out to this premier University of India.

Mr. W. H. THOMPSON: I speak in utter ignorance of the subject, but sometimes ignorance has its advantages because without knowledge one can more easily be without prejudice. During the last ten years the cry has been for provincial autonomy, for power for the provincial Government representing the authority of this House and subject to the authority of this House of complete control of the administration of Bengal. Now, Sir, provincial autonomy, full authority of this sort, can be limited by subtracting some of the power from the provincial Government. The powers reserved for the Government of India, the special powers of the Governor himself, are limitations put upon complete autonomy, but there is another way in which complete autonomy can be limited besides that of restricting the power at the top; it can also be limited by the mouse nibbling underneath. Two or three years ago in the Town Hall when our swarajist friends sat opposite to us, their policy which showed itself in their attitude towards Government Bills and in dealing with the private members' Bills was to advocate the setting up of independent boards, boards independent of Government authority, to deal with subjects as diverse as State aid to industries and the water-hyacinth. There was a series of attempts on their part to subtract from the authority of the Government by robbing it of control of certain important activities and the European group were in opposition to such ideas. We likewise feel inclined at the present time to oppose those who would at this stage have a statutory obligation put upon the Government of Bengal and put upon this House in regard to financial assistance which is to be given to the University of Calcutta from public funds. They are cutting at the root of the complete authority of the provincial Government. I feel, Sir, now that the property is changing hands or is almost on the point of changing

hands, nothing could be more wrong than for us to put a mortgage on it just as we are handing it over to our successors.

Mr. A. F. RAHMAN: I speak with a certain advantage in this debate, because I have no connection whatever with the Calcutta University and perhaps I may be able to take an abstract view of the situation. I feel, Sir, that the University like the Ministry must be stable and must have adequate funds to meet its obligations. I do not know what is really amiss with the administration of the Calcutta University and I missed my chance to make some suggestions in the debate on the other group of motions, for I could not catch your eye. It appears to me as an outsider that there is a tug-of-war between the Education Department and the Calcutta University, but I cannot say who or what is responsible for this tug-of-war, but it seems to us who are so passionately interested in education that this tug-of-war must cease now. I am going to make a suggestion and that is this: that in these days of conferences and compromises of heart-to-heart conversations, a compromise might yet be possible if the Chancellor of the University took upon himself the task of presiding over a conference consisting of the representatives of the University and of the Education Department. I cannot think that there can be anything so radically wrong with this University in Bengal that it cannot be settled in two or three sittings. I feel sure all difficulties would disappear and the University would be able to go forward unhampered by this constant dread of bankruptcy.

Sir, a point has been made that now that we are on the eve of provincial autonomy, it is not possible or desirable to make a statutory grant to the University. But I may tell the House that when this Council sanctioned a statutory grant for the Dacca University, it was conclusively proved that universities should be autonomous so far as their internal administration was concerned. I maintain, Sir, that the two things are not contradictory. No university can function properly with a minimum statutory grant; it will have to ask for further grants and those are the occasions when the legislature reviews the work of universities and legislates about them. I do not say that all is well with the Calcutta University; there are bound to be defects in its administration, but I refuse to believe that things are so radically wrong with the Calcutta University that its grant should be withheld.

5 p.m.

Sir JADUNATH SARKAR: The history of the post-graduate department of the Calcutta University and Government's financial support of it has happily reached a stage when a mutual settlement can be easily arrived at by the exercise of reasonableness, good-will and common business sense. On the one hand, the University is no

longer displaying an intransigent attitude; it understands that whatever may be the claims of high research to State support in the abstract, it would not be practical politics to carry on acrimonious negotiations in a haggling spirit, forgetful of the actual condition of the country and the equally or more pressing claims of other branches of the nation-building activity of the State. The University may fairly claim to know definitely how much it is possible for Government to grant it as a fixed annual subsidy and on what conditions of internal reform and safeguard against any future financial breakdown. Government, on its side, may legitimately say that it can afford to pay so much as a permanent grant, say, Rs. 3 lakhs, Rs. 3½ lakhs, or Rs. 4 lakhs, and it can insist on certain safeguards as to academic efficiency and financial economy, so as to be sure that the public money will be spent by the University in the best possible way and the future will not bring up a still larger demand for State aid as the only means of saving the University from bankruptcy. Government have reason to be cautious. In 1925, an arrangement was mutually entered into by Government and the University by which Government agreed to grant the University up to Rs. 3 lakhs a year for five years in order to stabilise the finances of the post-graduate department. At the expiry of these five years, the University has presented a report which shows that the future deficit will be over Rs. 6½ lakhs a year. Now, Sir, a jump from Rs. 3 lakhs to more than double that sum in five years may well startle Government and indeed any sound business man.

What guarantee is there that the deficit and its natural corollary, the demand for the State to find the entire amount of shortage, will not grow still larger after five years more?

Government have also been not reasonable in another of its demands. It has been a widely-voiced complaint that while several other universities of India have adopted many of the reforms recommended by the Sadler Commission, the Calcutta University has obstinately refused to set its house in order, though the Sadler Commission was constituted for the reform of the Calcutta University and its report was unanimous and signed by the stoutest champion of that University. But happily that stage is past. Last year the Senate of the Calcutta University accepted some very important reforms as recommended by the Sadler Commission. Thus, the dispute between the University and the Government has been now narrowed down to only two main points.

First, Government insist that the post-graduate department should so frame its scheme of expenditure as to keep within a fixed income and thus save itself from having to depend upon a fluctuating fee

income. Sir, nothing can be more degrading to a college or university, nothing can be more certainly ruinous to the standard of teaching and examination, than a situation in which the academic authorities have to tout for students and offer the bait of cheap degrees, if they are not to starve. The evils of the worst universities of the Western cities of the United States would be repeated in India if this danger is not effectually guarded against. And I hold that Government is seeking the best interests of the Calcutta University in stressing this point.

The second open question is the infinite division and subdivision of branches of study in order to offer minutely specialized courses of study to our ordinary graduates who are mostly unable to follow such courses without an excessive amount of help from their teachers. Such spoon-feeding of post-graduates is the surest means of destroying the best brains among them and lowering the general level of the University. Subjects have been known to be so recklessly subdivided that in each such class only one student, sometimes none at all, has prepared for the examination though the full course of lectures for the purpose has been provided by the University for two years. I am glad to say that the Senate has recently come to take the same view of the matter and made some efforts to reduce this educationally vicious and financially wasteful method.

Government's position seems to be that if this process is carried still further, greater economies can be effected and the post-graduate department can be permanently stabilized with its contemplated grant. You will feel that this is a very reasonable attitude. The two sides agree as to the basic principles, they differ only about the details. In such a case, if a happy agreement cannot be mutually arrived at, I suggest that Government refer the case to a small committee of two or three impartial experts with experience of the working of other universities, preferably from outside this province, and allow the Education Department and the University to place their cases briefly before it; and then Government will have as the basis of its future grants to the University a pronouncement the authority of which none in India will be able to cavil at.

A speedy settlement is most desirable, as the University gains nothing by prolonging the tension, and the Government too lays itself open to false accusations of lack of sympathy with higher education or obstructiveness to the University, which it has done nothing to deserve and which an investigation into the total amounts of its expenditure on the Calcutta University under all heads during the last ten years will utterly disprove. To take one instance only, the Ashutosh Building, which houses the post-graduate classes and the

rent derived from which supplies the salaries of three first-grade Chairs of the University, has been almost entirely paid for by Government.

Dr. NARESH CHANDRA SEN GUPTA: I only want to stress one or two points which have been made out by Mr. Mookerjee that in this matter of financial grant to the University there must be no question of interference with its academic independence and this must be accepted as a fundamental fact. There can be no dictation about the academic courses to be followed by the University. Sir, this year the University has asked for Rs. 6 lakhs or a little more and if the Government are not in a position to grant that, they may say that they cannot pay it. The University have carefully gone into the matter and have arrived at a certain scheme. Government can certainly say that they cannot grant any money or they can only grant a certain sum of money and not more than that. But I think it will be altogether outside the province of Government to dictate to the University that they must curtail this Chair or that. Things like these are altogether out of the province of Government.

Sir, Mr. Thompson has suggested that to recognise this sort of independence in the Calcutta University would be practically cutting at the root of provincial autonomy. If this is his idea of provincial autonomy or of the power that an autonomous body should enjoy. I am afraid Mr. Thompson will find no support for his idea from his own country. The British Parliament appointed a Royal Commission a few years ago for the Universities of Oxford and Cambridge and that Commission was presided over by the late Lord Asquith. The British Parliament does not exercise any control over the administration of Oxford and Cambridge Universities and even in the report of the Royal Commission it was made perfectly clear that they should not exercise any control over the administration of the Universities by reason of the fact that they were going to make certain grants. Besides that, I might remind Mr. Thompson that the legislature would nevertheless have control over the University which they can and ought to exercise through legislation and not through any other means. These are the two points I want to stress.

Maulvi TAMIZUDDIN KHAN: May I make a short statement before the Hon'ble Minister replies?

Mr. PRESIDENT: I am sorry, I have already called upon the Hon'ble Minister to speak.

The Hon'ble Mr. KHWAJA NAZIMUDDIN: Sir, in rising to speak on this motion, I feel I am at some disadvantage as the majority of the members of the House have at one time or other been members of the University of Calcutta and the University is their *alma mater* and, therefore, there is a tendency, I believe, in this House, that, rightly or wrongly, they should support the Calcutta University. Sir, I know this is to be a fact, but I still hope that they will consider this question on the merits and not be carried away by mere sentiment. The reason why I should like to go into the details of this question is that it is, I think, very necessary that the Government point of view should be placed before the Council and what they propose to do should be clearly stated.

In my opinion, Government in their controversies with the University never had a fair dealing; although Government have been all along sympathetic and helped the University generously and were never opposed to the true interest of the University, yet they are always criticised for their attitude towards the University. As far as the facts stand out, there is no justification for this insinuation. Whenever the Calcutta University has been in want of money, and they have been in want of money many times, Government had always come forward and made adequate grants to help them out of their difficulties. So this charge that Government has treated them in a stepmotherly way, has no justification whatsoever. So far as the present occasion is concerned, I would like to make it clear that there is no justification for the statement made by Mr. Syamaprosad Mookerjee that Government are very unsympathetic towards the University. If that were a fact, the most convenient method for Government would be to withhold the additional grant which was not provided in the budget. This grant was paid simply because Government felt that without it the University would be in difficulty. I may point out to the House that intimation was given to the University that this grant would only be made if the University would fulfil certain conditions. Those conditions were not fulfilled and yet Government paid the money.

Now, Sir, I am afraid there are one or two mistakes in the statement made by Mr. Syamaprosad Mookerjee. The first is with regard to the reorganisation committee report. It was sent in July, 1930, and not in March; 1930, whereas in December, 1929, Government wrote a letter to the Calcutta University in reply to their demand for a temporary grant for the current year 1930-31. This letter is a material point in the whole of the controversy between Government and the University. In that letter it was stated very clearly that Government wanted to be satisfied as to the proper amount the University was in need of and was asking from Government. I will read from the letter: "The method of analysing University income and expenditure which will

most readily facilitate determination by Government of the proper amount of grant-in-aid is the following:—

All income and expenditure may be classified under (*a*) and (*b*) below:—

(*a*) *Commitments and activities which had been undertaken before Government decided in 1926 to make the 5-year grants for expenditure in the post-graduate department.*—When the rate of present expenditure (or income) on the above purposes does not appreciably differ from that which was being incurred in 1925, claims to a grant will be justified by showing that these activities and commitments are still necessary and are being carried out with due economy; such justification would not, however, be necessary in connection with any provisional grant for 1930-31.

In cases, however, where activities in existence in 1925 are now being carried on at rates in excess of those obtaining in that year, such excesses merit separate treatment and independent justification in connection with the determination either of a permanent grant or a provisional grant for 1930-31. These remarks also have application to decreases in present income against the figures of 1925.

(*b*) *Present or proposed commitments and activities not undertaken before 1926.*—To justify claims to a grant for expenditure of this description, it should be possible to explain how necessary or desirable these commitments and activities are and that the proposed expenditure is economical. This treatment would apply to the determination of a permanent grant as well as of any provisional grant for the year 1930-31."

The above indicates in the clearest possible manner in what way the Government desired that it should be presented. Government in 1926 agreed to make a grant to the University to the extent of Rs. 3 lakhs and this grant was supposed to be for a period of five years at the end of which the question would be reconsidered, so that it might be possible for Government to find out what would be the permanent grant that should be given to the Calcutta University. This was an expanding grant, that is to say, the commitments that were undertaken by the University would mean an increase of expenditure, so that in the first two years there would be a certain amount of saving and in the latter portion of the five-year period there would be an expenditure in excess of Rs. 3 lakhs. Taking the expanding expenditure to be Rs. 25,000, the University should be ordinarily spending something like Rs. 3,25,000 at the end of five years. Now, these are the actual facts, but it is possible that during this period the University may have retrenched some of their original commitments and have at the same time incurred additional expenditure, so that at the present time the University is committed to an expenditure of something between

four to five lakhs of rupees instead of Rs. 3,25,000. If from the figures and materials in our possession we strictly calculate the commitments which the University incurred in 1926 and the grant for which Government is responsible, the University should not be in need of any grant whatsoever. But, Sir, before the end of the five-year period, the University appointed a reorganisation committee which went into the whole question and put up new proposals and revised some of the old proposals. The result is that the University has come up with a demand for Rs. 6,60,000. Our point is that in December, 1929, we asked the University to justify their claims for an additional temporary grant for the current year as well as for the permanent grant, so that we might know what were their commitments of 1926 which the Government were bound to pay, what were the additional commitments which the University incurred without the approval of Government and what was the actual position. That has never been presented to us. I, therefore, claim that we are not treating the University unfairly. We have been generous in the past and we are prepared to treat the University as one of the essential services, that is to say, when there is financial stringency and no money can be had for the nation-building departments, we are prepared to pay the Calcutta University just sufficient grant to enable them to carry on. In deciding this question we on our part are equally anxious to come to an early settlement and we have suggested to the University that the easiest method of reaching an agreement is to appoint a committee consisting of three representatives of the University, three representatives of Government and one President to be nominated by Government. This committee will go into the financial question and will make the report of the reorganisation committee the basis of their investigation in order to find out what is the actual amount that is necessary for running the University efficiently. But we feel that the committee should not be restricted from going into details if they think it advisable. There is no reason to apprehend that the whole question will be reopened. The committee will not consist of men who will be antagonistic to the University. What we want is that if any member of the committee thinks that there is a possibility of making further retrenchments on any one of the items, it may be possible to examine the question, but we do not want that the work of the reorganisation committee should be done all over again. The work of the committee is to find out what are the essential schemes, what is the amount required and what are the schemes that can wait. This is the object of appointing the committee.

There is another question which I should like to explain and that is the point raised by Mr. Syamaprosad Mookerjee with regard to the proposed interference with the academic work of the Calcutta University. We have suggested certain alterations in the regulations with regard to the post-graduate department. I may first tell you that

this grant is proposed to be paid to the post-graduate department only, and we have suggested that the income of the post-graduate department should be a fixed one. At present the post-graduate department has a fluctuating income. This is its chief defect. We want to make the post-graduate department independent of fee income and to ensure security of service to the teachers in that department. Government will make a definite contribution to the post-graduate department and the University will have to make a fixed contribution to it; all the fees received from the post-graduate department will have to be credited to the general University fund.

Another thing we have proposed is that the constitution of the academic bodies of the post-graduate department should be reconstituted.

We have practically accepted most of the recommendations of the reorganisation committee, only we have gone a little further. It has been the practice up till now in the Post-Graduate Council to give franchise, if I may say so, to every teacher in the post-graduate department. We have provided that the senior men in the academic bodies should control the post-graduate department. Our point is that we are not interfering with the academic work of the University. What we are suggesting is that the academic administration of the University should be remodelled and that the persons concerned with the control of the post-graduate department should have the confidence of Government, so that Government may be assured that the money paid to the post-graduate department will be properly spent.

I think Dr. Naresh Chandra Sen Gupta said in his speech that the Legislative Council has got the right to legislate in all matters. I agree with him. If it were possible to introduce a Bill amending the University Act, Government could have included the changes which they are suggesting and their right to do so could not have been questioned. But, Sir, it has not been possible to bring in a Bill because the University has not yet given us their opinion on Dr. Jenkins' Bill and has requested Government not to introduce a Bill in the Council until they express an opinion on Dr. Jenkins' Bill. The present is not an opportune moment to take up any important legislation, not to speak of an important measure like this. So it is not possible to amend the Calcutta University Act at present. At the same time we have to make a grant to the University, but before making the grant we want to be assured that the money will be properly spent. We have asked the University to change some of the regulations and it will be one of the functions of the committee to recommend the manner in which the regulations may be altered. Therefore, Sir, it is not possible to come to a final decision at once as detailed examination by the committee of the whole matter is necessary. Things are extremely complicated and

Government feel that a committee is absolutely necessary for the purpose without delay. Mr. Syamaprosad Mookerjee said that the University would like to know what amount Government could spare so that a scheme could be drawn up accordingly. Sir, I do not think this is a reasonable request. There are other departments of Government which also want money, and before we get any money for the University, we have to satisfy Government as a whole that this money is absolutely needed. Therefore, it is not possible for Government to say how much money they will be able to give. Government are not in a position to give even Rs. 50, but if the University can make out a case that they cannot go on without a grant, Government will somehow have to find the money; they will have to beg, borrow or steal. (Laughter.) Therefore, it is absolutely necessary that a committee should sit and inquire into the whole matter. I may point out that the grants of every department for new capital expenditure have been stopped this year and for the last two years no new recurring expenditure has been sanctioned unless it was absolutely essential. Under the circumstances, whatever permanent recurring grant is sanctioned for the University should be accepted. The University should recognise that Government are going very much out of their way in helping the University with money. The University has not yet replied to the letter we wrote to them the other day. I hope the University will agree to the appointment of a committee and will accept its findings. It would be to the interest of the country at large if a settlement is arrived at very soon. Government are responsible to this House for any grant they make and I am sure this House would want to be satisfied that the money will be properly spent and the best use made of it. Therefore, I would request the mover of this motion to withdraw the motion. I can assure him that Government are fully prepared to deal with the matter most sympathetically.

[Here the time-limit under the head "31.—Education (Transferred)" having been reached the Hon'ble Minister resumed his seat.]

The motion of Mr. Syamaprosad Mookerjee was then, by leave of the Council, withdrawn.

The following motions were deemed to be withdrawn:—

Babu JITENDRALAL BANNERJEE: "That the demand of Rs. 4,44,128 under the head '31A.—Education (Transferred)—Grants to Calcutta University' be reduced by Rs. 100 (to draw attention to the serious discrepancy between the budget estimate and revised estimate figures for 1930-31 with regard to the grant to the Calcutta University and to raise a discussion)."

MUNINDRA DEB RAI MAHASAI: "That the demand of Rs. 4,44,128 under the head '31A.—Education (Transferred)—University—Grants to Calcutta University' be reduced by Rs. 100 (to raise a discussion on the question of University administration and for drawing attention of Government to the inadequacy of the proposed grant and the financial position of the Calcutta University)."

Dr. NARESH CHANDRA SEN GUPTA: "That the demand of Rs. 4,44,128 under the head '31A.—Education (Transferred)—Grants to Calcutta University' be reduced by Re. 1 (parsimonious policy in dealing with University of Calcutta)."

Babu SATYENDRA NATH ROY: "That the demand of Rs. 4,44,128 under the head '31A.—Education (Transferred)—Grants to Calcutta University' be reduced by Re. 1 (necessity of making a statutory provision for a recurring grant of at least Rs. 5,50,000 to the Calcutta University)."

The motion that a sum of Rs. 1,15,43,000 be granted for expenditure under the head "31.—Education (Transferred)" was then put and agreed to.

The following motions under the head "31.—Education (Transferred)" were not called owing to the expiry of the time-limit:—

Maulvi ABDUL KARIM: "That the demand of Rs. 4,44,128 under the head '31A.—Education (Transferred)—Grants to Calcutta University' be reduced by Rs. 5 (administration of Calcutta University)."

Rai Bahadur SATISH CHANDRA MUKHERJI: "That the demand of Rs. 4,44,128 under the head '31A.—Education (Transferred)—Grants to Calcutta University' be reduced by Re. 1 (deficiency of funds of the University of Calcutta)."

Khan Bahadur Maulvi AZIZUL HAQUE: "That the demand of Rs. 74,016 under the head '31A.—Education (Transferred)—University—Dacca University' be reduced by Re. 1 (to draw the attention of Government to the urgent need of further grants for proper maintenance of University buildings)."

MUNINDRA DEB RAI MAHASAI: "That the demand of Rs. 11,14,800 under the head '31A.—Education (Transferred)—University—Government Arts Colleges—Teaching Staff' be reduced by

Rs. 201 (for the failure to reorganise the Superior Educational Services and also to draw attention to the vagaries of the department in the matter of appointments)."

Mr. SYAMAPROSAD MOOKERJEE: "That the demand of Rs. 14,42,000 under the head '31A.—Education (Transferred)—University—Government Arts Colleges' be reduced by Re. 1 (policy pursued in connection with the introduction of the Superior Service Schemes in Bengal)."

Mr. SYAMAPROSAD MOOKERJEE: "That the demand of Rs. 14,42,000 under the head '31A.—Education (Transferred)—University—Government Arts Colleges' be reduced by Re. 1 (desirability of appointing a Sanskrit scholar, irrespective of his caste, as Principal of Sanskrit College, Calcutta)."

Mr. MUKUNDA BEHARY MULLICK: "That the demand of Rs. 14,42,000 under the head '31A.—Education (Transferred)—University—Government Arts Colleges' be reduced by Re. 1 (necessity for continuing the Bethune College in view of the fact that the female students are now reading in other colleges in Calcutta)."

Babu JITENDRALAL BANNERJEE: "That the demand of Rs. 3,90,000 under the head '31A.—Education (Transferred)—Grant to non-Government Colleges' be reduced by Rs. 101 (to raise a discussion about the policy and principle of the grant)."

Babu SATISH CHANDRA RAY CHOWDHURY: "That the demand of Rs. 3,90,000 under the head '31A.—Education (Transferred)—University—Grant to non-Government Arts Colleges' be reduced by Rs. 10 (question of withholding grant to the Anandamohan College, Mymensingh)."

Mr. SARAT CHANDRA BAL: "That the demand of Rs. 2,82,000 under the head '31A.—Education—Bengal Engineering College (Sibpore)' be reduced by Re. 1 (policy with reference to backward classes)."

Mr. SARAT CHANDRA BAL: "That the demand of Rs. 1,16,000 under the head '31A.—Education (Transferred)—Training Colleges' be reduced by Rs. 100 (disadvantages of the teachers of the backward classes in getting admission)."

Dr. Sir NILRATAN SIRCAR: "That the demand of Rs. 27,48,000 under the head '31A.—Education (Transferred)—University' be reduced by Rs. 100 (need for provision for vocational education in Agriculture under the Calcutta University)."

Khan Sahib Maulvi BAZLUL HUQ: "That the demand of Rs. 27,48,000 under the head '31A.—Education (Transferred)—University' be reduced by Re. 1 (to draw attention to the fact that no money has yet been sanctioned for capital expenditure of the Feni First-grade College)."

Mr. SARAT CHANDRA BAL: "That the demand of Rs. 27,48,000 under the head '31.A —Education (Transferred)—University' be reduced by Re. 1 (inadequate financial help for the students of the backward classes living in University Hostel)."

Maulvi TAMIZUDDIN KHAN: "That the demand of Rs. 10,96,000 under the head '31B.—Education—Transferred—Secondary—Pay of Officers' be reduced by Rs. 1,000 (need for a high school in Calcutta for the education of Muslim girls)."

Babu SATYENDRA NATH ROY: "That the demand of Rs. 14,04,000 under the head '31B.—Education (Transferred)—Secondary—Direct grants to non-Government secondary schools' be reduced by Re. 1 (retrenchment in distributing grants)."

MUNINDRA DEB RAI MAHASAI: "That the demand of Rs. 27,51,000 under the head '31B.—Education (Transferred)—Secondary' be reduced by Rs. 101 (dissatisfaction at the failure of the Government to establish high schools for girls in all the districts of Bengal; policy of the education of females, question of deprovincialisation of Government secondary schools, so that funds may be available for giving adequate grants to non-Government secondary schols)."

Maulvi ABDUL KARIM: "That the demand of Rs. 27,51,000 under the head '31B.—Education (Transferred)—Secondary' be reduced by Rs. 100 (necessity for establishing a high school for Muslim girls at Calcutta)."

Maulvi ABUL KASEM: "That the demand of Rs. 27,51,000 under the head '31B.—Education (Transferred)—Secondary' be reduced by Rs. 100 (to draw attention to the fact that the general education in secondary schools is not satisfactory and is much inferior to that of other provinces)."

Maulvi ABDUL KARIM: "That the demand of Rs. 27,51,000 under the head '31B.—Education (Transferred)—Secondary' be reduced by Rs. 5 (deprovincialisation of secondary schools)."

Maulvi ABDUL HAMID SHAH: "That the demand of Rs. 27,51,000 under the head '31B.—Education (Transferred)—Secondary' be reduced by Re. 1 (to raise a discussion on the excessive rate of school fee)."

Maulvi MUHAMMAD FAZLULLAH: "That the demand of Rs. 27,51,000 under the head '31B.—Education (Transferred)—Secondary' be reduced by Re. 1 (to protest against the absence of a girls' school at Noakhali)."

Maulvi TAMIZUDDIN KHAN: "That the demand of Rs. 26,31,000 under head '31C.—Education (Transferred)—Primary' be reduced by Rs. 1,000 (delay in giving effect to the Rural Primary Education Act)."

MUNINDRA DEB RAI MAHASAI: "That the demand of Rs. 26,31,000 under the head '31C.—Education (Transferred)—Primary' be reduced by Rs. 101 (inadequate provision for primary education to village boys and girls of Bengal especially of the Hooghly district and for not providing any grants-in-aid to the Bansberia Girls' School)."

Mr. MUKUNDA BEHARY MULLICK: "That the demand of Rs. 26,31,000 under the head '31C.—Education (Transferred)—Primary' be reduced by Rs. 100 (not immediately putting into operation the Bengal Rural Free Primary Education Act)."

Maulvi SYED JALALUDDIN HASHEMY: "That the demand of Rs. 26,31,000 under the head '31C.—Education—Transferred—Primary' be reduced by Rs. 100 (to express disapproval of the action of the Minister in charge of the Department for his inability to give effect to the free and compulsory Primary Education Act)."

Maulvi NUR RAHMAN KHAN EUSUFJI: "That the demand of Rs. 26,31,000 under the head '31C.—Education (Transferred)—Primary' be reduced by Rs. 100 (to emphasise the necessity of giving effect to the Rural Primary Education Act as soon as possible)."

Maulvi HASSAN ALI: "That the demand of Rs. 26,31,000 under the head '31C.—Education (Transferred)—Primary' be reduced by Rs. 100 (inadequate and no provision for giving effect to the Rural Primary Education Act)."

Dr. NARESH CHANDRA SEN GUPTA: "That the demand of Rs. 26,31,000 under the head '31C.—Education (Transferred)—Primary' be reduced by Re. 1 (delay in inaugurating a scheme for free and compulsory primary education)."

Maulvi ABDUL KARIM: "That the demand of Rs. 26,31,000 under the head '31C.—Education (Transferred)—Primary' be reduced by Re. 1 (introduction of free and compulsory primary education)."

Maulvi MUHAMMAD HOSSAIN: "That the demand of Rs. 26,31,000 under the head '31C.—Education (Transferred)—Primary' be reduced by Re. 1 (not making any provision for the spread of primary education in rural area according to the Primary Education Act of 1930)."

Haji BADI AHMED CHOWDHURY: "That the demand of Rs. 26,31,000 under the head '31C.—Education Transferred—Primary' be reduced by Re. 1 (to raise a discussion on the delay in giving effect to Bengal Primary Education Act)."

Khan Sahib Maulvi BAZLUL HUQ: "That the demand of Rs. 26,31,000 under the head '31C.—Education—Transferred—Primary' be reduced by Re. 1 (inadequacy of the grant)."

Maulvi NURAL ABSAR CHOWDHURY: "That the demand of Rs. 26,31,000 under the head '31C.—Education (Transferred)—Primary' be reduced by Re. 1 (failing to sanction the scheme submitted by the Chittagong Municipality for free primary education for girls on an improved scale and making the scheme compulsory after amending the Act of 1919)."

Mr. SARAT CHANDRA BAL: "That the demand of Rs. 1,88,000 under the head '31D.—Education (Transferred)—Training Schools for masters and mistresses' be reduced by Re. 1 (policy with reference to backward classes)."

Mr. SARAT CHANDRA BAL: "That the demand of Rs. 1,11,500 under the head '31D.—Education (Transferred)—Engineering and Survey Schools' be reduced by Re. 1 (policy with reference to backward classes)."

Babu JITENDRALAL BANNERJEE: "That the demand of Rs. 59,000 under the head '31D.—Education (Transferred)—Special—School of Art' be reduced by Rs. 101 (to draw attention to the state of affairs in the Calcutta School of Art)."

Mr. P. N. GUHA: "That the demand of Rs. 59,000 under the head '31D.—Education (Transferred)—Special—School of Art' be reduced by Rs. 100 (management of the Art School, Calcutta)."

Maulvi ABDUL KARIM: "That the demand of Rs. 1,51,200 under the head '31D.—Education (Transferred)—Special—Madrasahs—Pay of Officers' be reduced by Re. 1 (desirability of amalgamating the post of the Principal, Calcutta Madrasah, with that of the Principal, Islamia College)."

Maulvi ABDUL KARIM: "That the demand of Rs. 2,24,000 under the head '31D.—Education (Transferred)—Special—Direct grant to non-Government Special Schools—Madrasahs' be reduced by Re. 1 (inadequacy of grants)."

Rai Bahadur SATISH CHANDRA MUKHERJI: "That the demand of Rs. 30,000 under the head '31D.—Education (Transferred)—Special—Direct grant to Sanskrit *Tols*' be reduced by Re. 1 (deficiency of grant)."

MUNINDRA DEB RAI MAHASAI: "That the demand of Rs. 3,14,000 under the head '31D.—Education (Transferred)—Special—Direct grant to non-Government Special Schools' be reduced by Rs. 105 (to call attention to the inadequacy of the grants for *tols*)."

Mr. S. M. BOSE: "That the demand of Rs. 3,14,000 under the head '31D.—Education (Transferred)—Direct Grants to non-Government Special Schools' be reduced by Rs. 10 (policy regarding women's training schools and stipends)."

Babu JITENDRALAL BANNERJEE: "That the demand of Rs. 13,71,000 under the head '31D.—Education (Transferred)—Special' be reduced by Rs. 10,000."

Maulvi MUHAMMAD FAZLULLAH: "That the demand of Rs. 13,71,000 under the head '31D.—Education (Transferred)—Special' be reduced by Re. 1 (to draw attention to the unsatisfactory management of Moslem Female Training School, Entally, Calcutta, in not providing for a governing or managing body of the school)."

MUNINDRA DEB RAI MAHASAI: "That the demand of Rs. 1,05,690 under the head '31E.—Education (Transferred)—General—Direction—Pay of Establishment' be reduced by Rs. 10 (to discuss the desirability of reduction in the staff of the office of the Director of Public Instruction)."

Maulvi ABUL KASEM: "That the demand of Rs. 1,49,500 under the head '31E.—Education (Transferred)—General' be reduced by Rs. 100 (to draw attention to the fact that proper steps are not taken for the advancement of Muhammadan education particularly about the work of the special officers for Mussalman education)."

Maluvi SYED MAJID BAKSH: "That the demand of Rs. 1,49,500 under the head '31E.—Education (Transferred)—General direction' be reduced by Re. 1 (to draw attention to the increase of seat rent in the Baker Hostel)."

Maulvi ABDUL KARIM: "That the demand of Rs. 8,36,400 under the head '31E.—Education (Transferred)—General—Inspection—Pay of Officers' be reduced by Rs. 5 (qualifications of some of the special officers)."

Dr. NARESH CHANDRA SEN GUPTA: "That the demand of Rs. 12,63,500 under head '31E.—Education (Transferred)—General—Inspection' be reduced by Rs. 10,00,000."

MUNINDRA DEB RAI MAHASAI: "That the demand of Rs. 12,63,500 under head '31E.—Education (Transferred)—General—Inspection' be reduced by Rs. 15 (to show the undesirability of having a large number of higher inspecting officers)."

Mr. MUKUNDA BEHARY MULLICK: "That the demand of Rs. 12,63,500 under the head '31E.—Education (Transferred)—General—Inspection' be reduced by Re. 1 (necessity for appointing special Inspecting Officers from amongst the qualified candidates of the backward classes for their primary schools in the mufassal)."

Babu SATYENDRA NATH ROY: "That the demand of Rs. 12,63,500 under the head '31E.—Education (Transferred)—General—Inspection' be reduced by Re. 1 (desirability of initiating retrenchment in the inspecting staff)."

MUNINDRA DEB RAI MAHASAI: "That the demand of Rs. 34,320 under the head '31E.—Education (Transferred)—General—Scholarships (in special schools other than training schools)' be reduced by Rs. 105 (to draw attention to the desirability of Government devoting a sum of Rs. 30,000 annually to the training of 12 Bengali boys in the Dehra-Dun Military Training College)."

Maulvi MUHAMMAD FAZLULLAH: "That the demand of Rs. 66,000 under the head '31E.—Education (Transferred)—General Grants-in-aid, Contributions, etc.—Grants to Hostels attached to Schools and Colleges' be reduced by Re. 1 (to criticise the general policy of Government for not maintaining Muhammadan servants in the girls' hostels, specially in the hostels attached to Khastagir Girls' High English School at Chittagong)."

Mr. P. BANERJI: "That the demand of Rs. 20,38,000 under the head '31E.—Education (Transferred)—General' be reduced by Rs. 101 (to raise a discussion about the circulation regarding text-books and scholarships issued by the department)."

Mr. SHANTI SNEKHARESWAR RAY: "That the demand of Rs. 1,15,43,000 under the head '31.—Education (Transferred)' be reduced by Rs. 100 (anti-national education policy)."

Mr. SYAMAPROSAD MOOKERJEE: "That the demand of Rs. 1,15,43,000 under the head '31.—Education (Transferred)' be reduced by Rs. 100 (general educational policy)."

Mr. SYAMAPROSAD MOOKERJEE: "That the demand of Rs. 1,15,43,000 under the head '31.—Education (Transferred)' be reduced by Rs. 100 [necessity of making a grant to Victoria Institution (for girls), Calcutta]."

Maulvi SYED JALALUDDIN HASHEMY: "That the demand of Rs. 1,15,43,000 under the head '31.—Education (Transferred)' be reduced by Rs. 100 (general policy)."

Mr. P. N. GUHA: "That the demand of Rs. 1,15,43,000 under the head '31.—Education (Transferred)' be reduced by Rs. 100 (policy of education generally)."

Maulvi MUHAMMAD FAZLULLAH: "That the demand of Rs. 1,15,43,000 under the head '31.—Education (Transferred)' be reduced by Rs. 5 (to protest against the absence of Anglo-Arabic and Anglo-Persian teachers in many aided schools and colleges)."

MUNINDRA DEB RAI MAHASAI: "That the demand of Rs. 1,15,43,000 under the head '31.—Education (Transferred)' be reduced by Rs. 5 (to draw attention to the inadequacy of the provision for educational needs and to the failure to make any provision for libraries and female education)."

Mr. SARAT KUMAR ROY: "That the demand of Rs. 1,15,43,000 under the head '31.—Education (Transferred)' be reduced by Re. 1 (question of Mr. B. K. Roy of Dighapatiya's bequest for starting agricultural classes in connection with the Rajshahi College)."

Khan Sahib Maulvi BAZLUL HUQ: "That the demand of Rs. 1,15,43,000 under the head '31.—Education (Transferred)' be reduced by Re. 1 (to raise a discussion regarding failure of the department to make suitable provision for Moslem female education)."

Haji BADI AHMED CHOWDHURY: "That the demand of Rs. 1,15,43,000 under the head '31.—Education (Transferred)' be reduced by Re. 1 (want of Muslims in the Hooghly Government College staff beside the only Arabic lecturer)."

Khan Sahib Maulvi BAZLUL HUQ: "That the demand of Rs. 1,15,43,000 under the head '31.—Education (Transferred)' be reduced by Re. 1 (to call attention to the frequent alteration of text-books)."

Khan Sahib Maulvi BAZLUL HUQ: "That the demand of Rs. 1,15,43,000 under the head '31.—Education (Transferred)' be reduced by Re. 1 (to call attention to the manner of selection of text-books not suitable for all communities)."

Khan Sahib Maulvi BAZLUL HUQ: "That the demand of Rs. 1,15,43,000 under the head '31.—Education (Transferred)' be reduced by Re. 1 (to draw attention to the inadequate number of Mussalman employees in Imperial, Provincial and Subordinate Services)."

Khan Sahib Maulvi BAZLUL HUQ: "That the demand of Rs. 1,15,43,000 under the head '31.—Education (Transferred)' be reduced by Re. 1 (to urge the making of a provision for vocational training in all madrasahs and muktabs)."

Khan Sahib Maulvi BAZLUL HUQ: "That the demand of Rs. 1,15,43,000 under the head '31.—Education (Transferred)' be reduced by Re. 1 (to urge the granting of holidays during *Ramzan* in all schools and colleges open to Mussalman boys)."

Khan Sahib Maulvi BAZLUL HUQ: "That the demand of Rs. 1,15,43,000 under the head '31.—Education (Transferred)' be reduced by Re. 1 (to urge for the introduction of identifying answer papers by means of numbers instead of writing names of the examiners on answer papers in all University examinations)."

Khan Sahib Maulvi BAZLUL HUQ: "That the demand of Rs. 1,15,43,000 under the head '31.—Education (Transferred)' be reduced by Re. 1 (to press for the introduction of reduced fee rates for Mussalman boys in all Government and aided schools and colleges open for Mussalman boys)."

Babu KISHORI MOHAN CHAUDHURI: "That the demand of Rs. 1,15,43,000 under the head '31.—Education (Transferred)' be reduced by Re. 1 (withdrawal of the recurring grant-in-aid to the Lokenath High School at Rajshahi and increase of recurring monthly grant-in-aid to the P. N. Girls' High School at Rajshahi)."

Mr. SARAT CHANDRA BAL: "That the demand of Rs. 1,15,43,000 under the head '31.—Education (Transferred)' be reduced by Re. 1 (policy with reference to the education of depressed classes)."

Maulvi MUHAMMAD FAZLULLAH: "That the demand of Rs. 1,15,43,000 under the head '31.—Education (Transferred)' be reduced by Re. 1 (to criticise the policy of Government for not making provision for studies in Islamic History and civilisation, in high English schools and colleges)."

Maulvi MUHAMMAD FAZLULLAH: "That the demand of Rs. 1,15,43,000 under the head '31.—Education (Transferred)' be reduced by Re. 1 (to draw the attention of Government to the necessity of working out a scheme under which recipients of Mohsin stipends and scholarships should be called upon to refund the money they received from Mohsin Fund, when they are settled in life)."

Maulvi HASSAN ALI: "That the demand of Rs. 1,15,43,000 under the head '31.—Education (Transferred)' be reduced by Re. 1 (educational policy)."

32.—Medical.

The Hon'ble Mr. BIJOY PRASAD SINGH ROY: Sir, on the recommendation of His Excellency the Governor I beg to move that a sum of of Rs. 46,30,000 be granted for expenditure under the head "32.—Medical."

In placing this demand before the House, I shall explain the main divisions of the Medical budget. I admit, Sir, that the Medical budget is one which does not lend itself to sensational changes either by way of expansion or retrenchment. There are four main heads under which I can divide the Medical budget, namely, the grant to hospitals, the expenditure on medical schools, the expenditure on medical establishment, and retrenchment. These are the four points which I would venture to explain to the House.

First of all, out of Rs. 46 lakhs under the head "Medical" about Rs. 24,50,000 is for the State hospitals. Most of the State hospitals are situated in Calcutta. I need hardly remind the House that this year is not particularly suitable for the expansion of State hospitals, but I think the Government can legitimately claim the credit of maintaining the normal expenditure this year. I can assure the House that the normal conditions in these hospitals have been maintained intact, and whatever retrenchment has been effected, it has been done without any detriment to public interest and without loss of efficiency.

The next item is the medical schools. Government maintain six medical schools in the province, the Campbell Medical School, the Dacca Medical School, the Burdwan Ronaldshay Medical School, the Mymensingh Medical School, besides two medical schools which have been opened this year, namely, one at Jalpaiguri and another at Chittagong. The House will remember that during the year there was a token grant. With that token grant these two medical schools have been opened; and I congratulate the Surgeon-General and the department for the opening of these two schools without any additional demand. Of course in maintaining these schools, the Government naturally have been obliged to maintain the strictest economy, but there also not at the cost of efficiency nor at the cost of public interest.

I now come to the third head—medical establishment. Rupees 8 lakhs has been provided under this head. Of this grant, Rs. 6,14,000 is voted. Rupees 4,52,000 goes as this Government's share of cost for the maintenance of the Mental Hospital at Ranchi. As regards the management of this hospital, we are guided more or less by the advice of the Government of Bihar and Orissa. Whatever retrenchment has been effected, I repeat, Sir, has been due not to the permanent surrender of any scheme, not to the permanent shelving of any project, but simply to the slowing down of the progress of some of these works. The budget will show that there has been a retrenchment of Rs. 3,40,000: this appears on page 71 of the red book. Of this Rs. 3,40,000, Rs. 70,000 is under the head "Comilla Sadar Hospital" and Rs. 25,000 under the head "Calcutta Medical Institute." Government paid their contribution on account of land acquisition for the Comilla Sadar Medical Hospital, so the project has not been delayed. But it was not necessary to make further contribution in the current year, and therefore a portion of the total grant was saved.

5-45 p.m.

The Government have paid Rs. 25,000 to the Calcutta Medical Institute in the current year and the balance Rs. 25,000 has been provided for in the next year's budget.

A contribution of a lakh of rupees to the Ayurvedic Jatiya Bidyalaya has been provided for in the next year's budget. So you will see that

none of the projects have been shelved or given up altogether, but there has only been a slight slowing down of progress without any inconvenience to the public and without any sacrifice of public interest. The Government have thus been able to effect some retrenchment.

Besides these, there is a grant of Rs. 85,000 to rural dispensaries, that is, Rs. 500 for every thana dispensary and Rs. 250 for every village dispensary that has been opened in the rural areas. We are very rapidly approaching towards the completion of the project that we must have a dispensary in each thana, and Government have scrupulously maintained the cost under this head and I am very glad to say that the progress is quite satisfactory.

In conclusion, I may say that on the whole personally I am very much satisfied with what has been done for this important department and I hope the House will appreciate the difficulties of Government and the efforts that I have made in securing the largest amount available for this department to which the public of Bengal naturally attach very great importance. If any additional money is necessary, I shall take the earliest opportunity to come to this House for the amount if the financial position of the province permits.

The following motion was called but not moved:—

Rai Bahadur SATISH CHANDRA MUKHARJI: "That the demand of Rs. 2,83,000 under the head '32B.—Hospitals and Dispensaries—Grants to Hospitals and Dispensaries' be reduced by Re. 1 (inefficient condition of the Hooghly Imambarah Hospital in connection with its accommodation, want of nursing arrangement and shortage of diet)."

MUNINDRA DEB RAI MAHASAI: I beg to move that the demand of Rs. 22,07,000 under the head "32B.—Hospitals and Dispensaries" be reduced by Rs. 101 (advisability of opening non-allopathic dispensaries in the rural areas).

I am glad to find that a lakh of rupees has been provided for the Jatiya Ayurbignan—a recognition of Ayurbignan system of medicine by Government for which we are also grateful. My intention is to draw attention of the Hon'ble Minister in charge of the Medical Department to the advisability of opening non-allopathic dispensaries in the rural areas. As a popular Minister, we naturally expect from him due recognition of the indigenous systems of treatment—the Ayurvedic and the Unani. Sir, I do not know why the allopathic system should absorb the entire patronage of Government to the exclusion of another western system, I mean the homeopathic system of medicine which has been found to be more potent in cholera, dysentery and diarrhœa than the allopathic treatment. Something should be done to introduce the

homeopathic system for the benefit of those who take to such form of treatment. It would at the same time be more cheap than the allopathic system.

Sir, the efficiency of the indigenous drugs which are administered according to the Ayurvedic and the Unani systems are too well known to all of us at least to a major portion of the Indian section of the House.

In conclusion, I should ask the Hon'ble Minister to do his best to popularise the Indian systems of medicine, be it Ayurvedic or Unani, by the opening of such dispensaries in the rural areas and to ask the local bodies, such as the district boards and municipalities, to do likewise wherever and whenever the people want it.

With these few words, I commend my motion to the acceptance of the House.

Rai Bahadur Dr. HARIDHAN DUTT: I would rise only to intervene for one moment to ask the mover of this motion what he meant by "non-allopathic dispensaries." I have heard of Muhammadans and non-Muhammadans, but this is the first time that I find that the mover has coined this particular word "non-allopathic." This will have the effect of excluding the profession to which I have the honour to belong. It is very curious and I hope it will not lead us to difficulties.

The Hon'ble Mr. BIJOY PRASAD SINGH ROY: I have every sympathy with what has fallen from my hon'ble friend, but I hope he will realise Government's difficulties in this matter. My friend himself seems to have not a very clear idea of what he wants to suggest. The Government of course as a rule encourage only allopathic dispensaries and help them; but where there is a demand for dispensaries other than allopathic, Government have never refused any sanction. Therefore I am not in a position, Government's policy being what it is, to give any assurance to my hon'ble friend that they will accept in the near future or even in the distant future the proposal that he has brought forward.

MUNINDRA DEB RAI MAHASAI: I beg to withdraw my motion.

The motion was then, by leave of the Council, withdrawn.

Maulvi ABUL KASEM: I beg to move that the demand of Rs. 22,07,000 under the head "32B.—Hospitals and Dispensaries" be reduced by Rs. 100 (neglect of patients in these hospitals and particularly Campbell Hospital).

I regret very much that I have to bring to the notice of the House the fact that poor patients in the various hospitals in Calcutta are more often than not neglected. To speak the truth, I have not much experience of the working of these hospitals, but I have had particular

occasion to notice the treatment of patients in the Campbell Medical Hospital. A young boy was run over by a motor-car at 7-30 a.m. on a certain day; he was picked up unconscious by a friend of his father's and he had to be carried to the nearest hospital which in this case happened to be the Campbell Hospital. When admission was asked for, the medical man in charge was in his private room and he came ten minutes after. When he came, he asked what had happened. He was told that it was a motor accident. Then he took pen and paper and wanted to write down details of the accident—what had happened, who was the driver and the number of the motor-car, etc., without at all attending to the patient. He was then told that the patient was badly hurt, and unconscious and that his life was in danger. He said in reply that this was his duty and he knew his duty better. The gentleman (who had taken the boy to the hospital) was not to be silenced by this sort of reply, however, and he said that he was a Magistrate of the city and he could do that portion of the work himself, while he could attend to the patient. After a good deal of pleading he was admitted. After that a number of students were informed and the patient was left in charge of students who, it must be said to their credit, did all they possibly could to make him comfortable. The patient remained unconscious till 1 o'clock. When he was taken to the hospital, the gentleman told the hospital authorities that money was no question and that any amount of money required would be forthcoming and that nurses and doctors should be immediately summoned and everything done to save the life of the boy. Till 12 o'clock no doctors came. I was in that place all along. It was after 1 o'clock that doctors came. Then the superintendent of the hospital came, but he never looked at the patient and left the office. Later in the day when the news of the accident had spread in Calcutta and when an Hon'ble Minister of this Government and an Hon'ble Member of the Executive Council of the Government of Bengal and other big officers presented themselves in the hospital, there was a commotion, and every attention now began to be paid to the patient. What I say in this connection is this: In this particular case, the boy happened to be the son of a high Government officer and his father's friend also was highly placed in the official world and therefore attention was paid to him towards 4 o'clock. My question is: What would be the position of a poor man who received an accident and who was in danger of his life if he did not happen to be the son of a Commissioner of a Division or the relative of a Minister of the Government of Bengal? Sir, hospitals are intended for poor and insignificant people and they should have the first consideration. In consequence of this accident, I had to attend the Campbell Hospital for full one month. I was there in the morning and in the evening and I state with a full sense of reponsibility and from personal knowledge that patients in general are very much neglected. I have seen with my own eyes that patients are not

properly treated and when they state their complaints, they are brushed aside and told to go to the students; they had no time for them. Such was the state of things in the Campbell Hospital and I think steps should immediately be taken to bring such matters to an end. This is a complaint, which I make from personal knowledge acquired in connection with this case, that even in cases of serious accidents they are neglected. In fact, one evening while I was at the Campbell Hospital, I found that a patient suffering from a disease for which an operation was necessary, was admitted. But he was, as usual, told to wait and instruments were asked to be taken to the operation room and the patient was lying there for the operation to be performed. But, in the meantime, before the surgeon could go to the operation room, the father of the boy receiving the news of the accident came to the hospital accompanied by other big officials and the doctors congratulated him on the recovery of his son and talked pleasant words to him about his child, but the poor patient waiting for his operation was never operated upon; in fact, he breathed his last. These facts are known to the Government and I hope Government will take special notice of such cases and instruct their medical officers accordingly.

Mr. C. C. COOPER: I rise to support the motion moved by my friend Maulvi Abul Kasem, because I have for some years past taken great interest in the hospitals of Calcutta and I am a visitor of several of them. I have felt very sad, very unhappy, when I have visited the Campbell Hospital. There is no doubt in my mind that this hospital wants speeding up very badly. Everything there seems to be very slack. There is no control; there is no supervision and everything is left in charge of the students and the last thing that is done is to look after the patients. The Campbell Hospital is not situated in the nicest part of Calcutta, but there is quite a nice house for the Superintendent of this hospital. Hitherto all Superintendents have always lived there, but the present Superintendent has been allowed to live outside.

6 p.m.

I strongly protest against any Superintendent of this hospital being permitted to reside outside the hospital, as his is a whole-time job, day and night, and to do his duty he must be on the spot. Hence to give him permission to live outside the hospital cannot be justified.

I feel sure that the Hon'ble Minister only requires his attention to be drawn to this irregularity when he will put right what is at present very wrong.

Rai Bahadur Dr. HARIDHAN DUTT: I feel some diffidence in taking part in this debate, but I feel that I ought to point out to the Council the state of affairs in the Campbell Hospital. I do not think

Maulvi Abul Kasem is justified in bringing a particular case before this Council in order to condemn the present arrangement in that hospital. Sir, it reminds me of the old days of 35 years ago when we were students in the Calcutta Medical College. In those days, the Campbell Hospital was considered as a death trap. In fact, our professors used to tell us that when a case was hopeless, there were only two alternatives—either to send the patient to the *post-mortem* table or to send him to the Campbell Hospital. Such was the state of affairs several years ago. Great improvements have, however, taken place since then in the Campbell Hospital and I do not think that anybody is justified in condemning it as the hon'ble mover has done. Sir, the hon'ble member has said that the Campbell Hospital is considered to be the hospital for the poor. May I ask Maulvi Abul Kasem, if that is so, why did one of the richest men take his patient to the Campbell Hospital thereby taking away the share in attendance and treatment which should be reserved for the poorer people? (Maulvi ABUL KASEM: It was a question of accident and the Campbell Hospital was the nearest at hand.) Sir, after all I do not say that the hospital should be denied to the rich, and in accident cases nobody will be justified to say so. But in this particular case, when the patient was so rich, when he had such rich relations, where was the difficulty of taking him to a private hospital or any institution where medical help could have been promptly rendered to him and where the best doctors of Calcutta could have been made available?

Then I find that some reflections have been made on the present state of affairs in the Campbell Hospital. I have no connection with the Campbell Hospital nor do I hold a brief for the Superintendent. But I know that the present Superintendent has to labour under certain difficulties and the work is not an easy one. However, vast improvements have already been made in the institution during the last few years which should be taken into consideration. It would not be fair to judge the Campbell Hospital in comparison with other hospitals. If anybody compares the Presidency General Hospital with the poor Campbell Hospital, the latter is bound to come out in bad light. My European friends will see that the comfort and attention that they get in the Presidency General Hospital will not be found in the Medical College Hospital. Similarly, patients in the Medical College Hospital will not find the same attention in the Campbell Hospital. I am not justifying this difference, but can this be removed at once? We must patiently wait for improvements in this direction and I hope in a few more years the Campbell Hospital will come up to our requirements.

Maulvi ABUL KASEM: May I rise to a personal explanation, Sir? We went to the Campbell Hospital not by choice but because an accident had happened and the Campbell Hospital was the nearest hospital.

The Hon'ble Mr. BIJOY PRASAD SINGH ROY: Unfortunately we have not yet reached that state of millennium when people will cease to be rough to common people or to be honeying at the whisper of a Lord. Sir, Maulvi Abul Kasem has complained that the alleged neglected patient was the son of a very rich man who was very influentially connected. He said that even he was not properly attended to. Personally I visited the patient when he was in the hospital and I am thoroughly acquainted with the history of the whole case. I did not know that he was neglected. I am sorry that my hon'ble friend instead of bringing the matter to my notice or to the notice of the Surgeon-General has thought fit to place it before the House as a matter of public complaint. I can assure the House that the Surgeon-General is always ready to listen to any such complaint and to take proper steps whenever it should be done in the public interest. Mr. Cooper has brought to the notice of the House the fact that the present Superintendent does not live in the Superintendent's quarters. It is an arrangement for which I do not think I can offer any explanation now, but I can give him this much assurance that I shall thoroughly go into the question immediately after the Council session is over and I will do what I can in the matter. Whenever any grievance was brought to the notice of the Government, they properly inquired into it in the matter in the past and would do so in future. There should be specific charges and not allegations of a general character. Of course Mr. Abul Kasem should always remember that a hospital like the Campbell Hospital is overcrowded with patients and is understaffed. To remove this difficulty, we are considering the proposal of increasing the number of honorary surgeons and physicians in the hospitals. That scheme is now being examined by the Surgeon-General and if we find it feasible, I propose to appoint a larger number of honorary surgeons and honorary physicians to give relief to the permanent staff.

Before I resume my seat, I should like to say one word more about what has been said by Rai Bahadur Dr. Haridhan Dutt. He is perfectly right when he says that the Campbell Hospital was not what it is to-day. There have been immense improvements during the last few years and if the public would co-operate, I am sure all these hospitals will reach that state of perfection which we so much desire.

With these words, I oppose the motion.

The motion of Maulvi Abul Kasem was then, by leave of the Council, withdrawn.

Mr. PRESIDENT: I shall take motions Nos. 629, 632 and 633 together.

The following motions were called but not moved:—

Maulvi HASSAN ALI: "That the demand of Rs. 22,07,000 under the head '32B.—Hospitals and Dispensaries' be reduced by Rs. 100 (medical aid to rural areas)."

Haji BADI AHMED CHOWDHURY and Khan Sahib Maulvi BAZLUL HUQ: "That the demand of Rs. 22,07,000 under the head '32.—Hospitals and Dispensaries' be reduced by Re. 1 (insufficient supply of medicine in charitable dispensaries)."

Mr. PRESIDENT: I will take motions Nos. 630, 631 and 634 together.

Revd. B. A. NAG: I beg to move that the demand of Rs. 22,07,000 under the head "32B.—Hospitals and Dispensaries" be reduced by Re. 1(inadequate grants and in some cases, no grants to deserving private hospitals and dispensaries).

In moving this motion standing in my name, I do not think I need say very much to impress upon you the fact that the hospitals should be more aided than some of the very well-equipped hospitals are at present aided. It seems to me that Government is doing a good deal, but their attempts are limited to headquarters. Philanthropists of this country and of other countries interested in the people of this country have supported the hospitals and dispensaries in rural areas for medical relief to the suffering people. It is a well known fact that while people in the city of Calcutta or in the district towns can easily find a hospital to go to, it is very difficult in rural areas to find qualified medical help and, therefore, I should think that the philanthropists who have started hospitals have done a great service in thus supplying the needs of the rural areas where so much sickness prevails. They are doing a good deal to help the State, but, Sir, I am very sorry to say that they have not up till now received much monetary help in the shape of recurring grants. I would make a distinction here. I know some of the hospitals have been helped greatly in the capital grant but nothing in the shape of recurring grants. For instance, there is a hospital in Chandrakona. There are two British qualified doctors. They have two British trained nurses and there are also other trained nurses. That they are doing good work will be evident from the fact that Government have placed the local police and also forest officers in their charge. The Government on behalf of the police pay them Rs. 100 for the work done to the police, and Rs. 250 on behalf of the forest officers. This hospital, for instance, has indoor patients numbering about 900 to 1,100 yearly and about 10,000 outdoor patients and altogether a total of about 12,500 attendance. Over and above this, they have a house for the lepers where they have 19 in-patients—lepers. This hospital is being managed with the money received from British philanthropists——

Mr. PRESIDENT: I might tell the House that at the request of the Hon'ble Minister in charge of Medical, I have agreed to sit up to

eight past seven to-night which is exactly the hour when the time-limit for this grant would be reached. I think the House will agree to stretch its power of endurance a bit to enable me to dispose of the matter to-night.

Revd. B. A. NAG: This hospital about which I was speaking had 400 major operations during the last year. The patients generally come from a very long distance, even as far from Noakhali and Hill Tippera. This hospital with such a reputation receives nothing in the shape of a recurring grant from Government. Then there is another hospital which is nearer Calcutta, but in the rural area—Ranaghat. This hospital really consists of two hospitals: one for men and one for women. The one for men has 70 beds and that for women 50. There are two British qualified men doctors for the men's department and two British qualified lady doctors for the women's department; besides, there are British qualified nurses. This hospital last year had 2,530 in-patients and 1,01,800 out-patients. Then there is yet another rural hospital in Sarenga in the district of Bankura. This hospital also has two British qualified doctors and two British qualified nurses. It had last year 666 indoor patients and 588 outdoor patients. The great thing that they are doing is that they are attempting to give relief to patients suffering from phthysis, but no recurring grant is given to them by Government. Then there is a hospital at Kalna which is well known. They have British qualified doctors and nurses. Here is a point which I do not understand. They say the recurring grant of Government is only Rs. 1,000 a year and that too is not absolutely fixed. I have not been able to find out from the officials what this means. Probably it is a local arrangement. Then there is another hospital at Jiagunge for women. There are two British qualified lady doctors. A capital grant has been made to this hospital, but no recurring grant. When I was thinking of this subject some time ago, long before Mr. Singh Roy became our Minister, I was told by one who knew, that somewhere in the official reports it is written that these hospitals which are under missionary management are really rich, they are supported by rich people. I would like to say that they are not. The mission hospitals are indeed rich in one sense, namely, rich in sacrifices. These doctors are making great sacrifices, and the money that come from the foreign land come from people who probably give up a tram ride or a bus ride, or probably a breakfast or a launch in order to put money into the mission fund. That is the way they are supported. I understood from the Hon'ble Minister that the thana type of dispensaries receive Rs. 500 and the village type of dispensaries receive Rs. 250. These hospitals are dispensaries *plus* hospitals with in-patients, and for them I do not want to ask for a very large grant. Probably to start with Rs. 2,000 a year would be quite satisfactory, and I have no doubt that our Hon'ble Minister will

his great sympathy for the suffering people and with his great persuasive power will be able to persuade the Hon'ble the Finance Member to let him have some money out of the money that has been surrendered by the Hon'ble Sir Provash Chunder Mitter from the Jails grant. With these words, I move my motion for the acceptance of the House.

Kazi EMDADUL HOQUE: Sir, I am in full agreement with my friend Maulvi Abul Kasem that the object of dispensaries and hospitals is to give facilities for treatment to all those persons who suffer from any sort of ailment irrespective of their social position or any other consideration like that. Admission to hospitals should be given really to those persons who for poverty cannot have good treatment otherwise. But to our great surprise we find that the poor people do not get the sort of treatment that is expected at the hands of the authorities who are in charge of dispensaries. To substantiate my point I may cite one example for the information of the House and for the information of the Hon'ble Minister so that he might see his way to do what lies in his power in this matter. Last winter during the Puja holidays I paid a visit to Katwa subdivision. There I met a young man in a very lamentable position. He narrated to me that he got paralysis; I found his upper part was all right but his legs were disabled. He looked like suffering from paralysis of the legs. He said that he tried to get admission into the Calcutta Medical College Hospital as he cherished the hope that he would get proper treatment there and would be cured of the disease. But he could not get the admission. I noticed that this young man had to take the help of another man in moving about. When I came back from Katwa I wrote a letter to the Superintendent of the Calcutta Medical College Hospital and inquired whether it would be possible for him to admit this man into the hospital. I also said that the man entertains the hope that if he is admitted he would be cured. But the Superintendent wrote to me in reply that there was no seat available. My friend Rai Bahadur Dr. Haridhan Dutt said that rich men should not seek admission into hospitals and thereby deprive the poor men of the privilege. I fully agree with him, but at the same time I think the hospital authorities also should not allow rich people admission into the hospital. We, however, find that people who do not deserve admission into hospitals actually get it.

6-45 p.m.

We hope, Sir, the poor people will not be denied the privileges to which they are entitled by the authorities of the Medical College Hospital. Sir, we are not in a position to do anything in the matter. We can simply give expression to our views.

With these words I support the motion of Revd. Mr. Nag.

The following motions were called but not moved:—

Kazi EMDADUL HOQUE: "That the demand of Rs 22,07,000 under the head '32B.—Medical Hospitals and Dispensaries' be reduced by Re. 1 (policy in regard to hospitals and dispensaries)."

Maulvi SYED JALALUDDIN HASHEMY: "That the demand of Rs. 2,52,000 under the head '32C.—Grants for medical purposes' be reduced by Rs. 100 (inadequacy of grants)."

Rai Sahib PANCHANAN BARMA: Sir, I rise to support the motion of my friend Revd. B. A. Nag. He complains that Government do not give support to private hospitals and dispensaries. Sir, in the mufassal poor people come to these hospitals and dispensaries for medical help, but in most cases these hospitals and dispensaries are not properly equipped. In my district, Rangpur, there are some such private hospitals. Some young men started these hospitals in places where there were no medical help available—I mean in the interior villages. One such hospital was started at Dalgram some years ago by some gentlemen of the locality and the medical man in charge of the hospital, although a Campbell passed man, is regarded in the locality to be far superior to men coming out from the Calcutta Medical or any other such College. He is a very good surgeon and he is called even in preference to an M.B. But this medical institution is suffering from want of funds. Of course, the district board gives some help, but that is quite inadequate to meet the demands of the locality. There are also two other hospitals—one in the village of Mirganj and the other in the village of Soulmari, both within the jurisdiction of Jaldaca police-station. These hospitals are situated in places where medical help is not at all available, and the young enterprising gentlemen started these hospitals with the sole object of seeing that the people may not die for sheer want of medical help. These young men collected some funds locally and have arranged to collect some funds annually, but the collections are precarious and during this year of distress their funds have almost been exhausted; still they are trying to run the hospital even at the sacrifice of their own funds. The number of patients receiving medical help at the hospitals are daily increasing, but the funds at the disposal of the hospitals are not adequate. So I draw the attention of Government to the pitiable condition of these hospitals. They might not be as highly equipped as Revd. Mr. Nag would want them to be, but they are hospitals ministering to the needs of a large number of people who are without medical help and many of whom might have died but for this medical help. So I draw the attention of Government to the

necessity of giving some grants to these hospitals for the relief of the poor people, as also for encouraging the public spirit of such enterprising youths to arrange for medical help.

With these words I support the motion of the Revd. B. A. Nag.

Mr. J. CAMPBELL FORRESTER: Sir, I shall take only a few minutes. The previous speakers have mentioned the cases of some deserving private hospitals and dispensaries. I am concerned with the National Infirmary which is a small concern, struggling hard for its existence and deserving of every consideration at the hands of Government. Sir, this is the only institution that ministers to the needs of poor beggars, found in the streets; there is no one turned away from this particular hospital: all are taken in. I am informed, very great hardship is often done to the poor people who are taken into some hospitals; if their case is interesting to the medical faculty they retain them with the object of study and when they have learned all they can about their case they are turned out to the streets to make room for somebody else. This National Infirmary, of which I am the President, is the only hospital in Calcutta where they can be taken to, and I hope the Hon'ble Minister will be good enough to consider the case of this institution. In a province where there is only one doctor to attend to 17,500 people, the remedy is for the Government to go supporting these deserving institutions and I hope the Hon'ble Minister will be able to make a small grant to help this deserving small institution.

Maulvi HASSAN ALI: Sir, I beg to support the motion of Revd. B. A. Nag. Sir, it is a known fact perhaps to us all here that in Bengal about three thousand people die of fever, about 200 die of cholera, 70 die of dysentery, 65 die of respiratory diseases and 40 die of small-pox every day. One lakh people die every year in Bengal of consumption, that is to say, 12 persons die of consumption every hour. I am not a medical man. These are but matters of statistics. I may be incorrect in my figures yet there is no doubt about the fact that people of Bengal are being daily wiped off in thousands by malaria, cholera, dysentery, small-pox and other diseases. And who are they? Who of the Bengalee people die so in thousands every day? It is not very difficult to find them out. It is the rural people of Bengal, it is those poor peasantry in Bengal who so die in hundreds without having any proper and timely medical aid. I do not find, Sir, that the Government have got any definite scheme, any definite policy, to follow in order to save the unfortunate rural people of Bengal excepting some hospitals and dispensaries which have never been and which will never be within the easy reach of the poor rural people. If anybody derives any benefit, it is the town people or the people living in the suburbs

of the town in which the hospital or the dispensary is situated. We have seen sometime poor fellows dying on the way before they reach the hospital or the dispensary.

I therefore think, Sir, that in order to give proper, adequate and timely medical aid to the rural people, a definite scheme of establishing sufficient number of dispensaries and hospitals in the rural areas of the country should be immediately undertaken by the Government. This can easily be done through the union boards and other local bodies. The charitable dispensaries under district boards are not sufficient to meet the situation. They are not sufficient in number and even if sufficient, the quantity of medicines is not sufficient. Each district board dispensary keeps only medicines worth Rs. 300 or Rs. 400 or at best Rs. 500 and those consist chiefly of quinine mixture and *chirata* mixture.

The Hon'ble Mr. BIJOY PRASAD SINGH ROY: Sir, in reply to what has fallen from my hon'ble friend Revd. B. A. Nag, I may say that Government fully appreciate the great services which the Mission people are rendering to the people of Bengal. I am sure that they have earned the gratitude of my countrymen and I wish that it were possible for the Government to do all they wish to do to support the institutions run by the Missions. These are the people, I venture to say, who can legitimately be proud of their achievements in the past and can look forward to their work in future with great hope. Revd. Nag has said that there are not many qualified medical practitioners in the rural areas. Government recognised this want long ago and in order to meet it they established several medical schools. The students who pass out of these institutions are expected to settle in the mufassal in order to give medical help to the poor people. I am almost certain that in another few years' time there will be no more want of properly qualified medical men in our villages, provided these medical men do not waste their time and energy in seeking Government appointments or confine their activities to Calcutta or mufassal towns. Revd. Nag has said that many philanthropists are doing good work and their institutions have received capital grants but no recurring grants from the Government. Sir, Government is in a chronic state of want and I do not think I need labour that point. I wish it were possible for the Government to help these institutions as much as they would like to do. Unless private charity is forthcoming, unless more philanthropists come forward and open their purse strings for giving medical relief to the poor people, I do not find any possible solution of this problem. It is not a problem peculiar to this province only, but it is a problem all the world over and nowhere the problem of medical relief has been adequately solved without private charity. Revd. Mr. Nag has suggested that I should get a portion out of the money surrendered by the Hon'ble

Member in charge of Jails. I can assure him that I shall try my best to get a share of it (hear, hear). But he knows very well that Mr. Marr is very close-fisted, it is not always easy to get money out of him (laughter). (A VOICE: He is not here.) (ANOTHER VOICE: Mr. Blandy is here, he will report it to him.) I wish Mr. Blandy would report it to him because, if he reports, there is some chance of getting his sympathy.

7 p.m.

Besides maintaining hospitals and medical schools in Calcutta and medical schools in district towns Government also maintain hospitals at Uttarpara, Raniganj and the Mitford Hospital at Dacca. There are many other hospitals and dispensaries to which Government make annual grants and their number is as many as 68. My hon'ble friend the Revd. Mr. Nag has said that no recurring grant is made to some of the leper asylums. That is not a fact.

Revd. B. A. NAG: I only said that the Chandrakona Leper Asylum did not receive a grant from Government.

The Hon'ble Mr. BIJOY PRASAD SINGH ROY: I stand corrected. It is not possible for the Government to make grants to all these deserving institutions but Government do as a matter of fact make some grant to the leper asylums at Ballygunge and Bankura, and there is a provision of Rs. 17,000 for grant to leper asylums.

My friend Kazi Emdadul Hoque has made certain allegations about admission to the Calcutta Medical College Hospitals. He said that undeserving persons got admission while deserving persons were refused admission. I do not think I need seriously try to answer this allegation. The Principal of the Calcutta Medical College, the Resident Surgeon of the College and all the gentlemen who are in charge of the hospital are persons of great sense of responsibility and I am not prepared to accept a general allegation even from an hon'ble member of this House. Admission of patients is a great problem with the authorities of the Calcutta hospitals. They are constantly pestered with applications for admission and these gentlemen find themselves in a helpless position when they have got to refuse admission against their own wishes for want of bed. The only remedy is to increase the number of beds and not mere allegations in the House.

Rai Bahadur KESHAB CHANDRA BANERJI: May I rise on a point of information, Sir? I want to know whether these hospitals and dispensaries are affiliated to the State Medical Faculty.

The Hon'ble Mr. BIJOY PRASAD SINGH ROY: In reply to this question I may say that these institutions are not affiliated to the State Medical Faculty but they are staffed by qualified medical practitioners.

Mr. Hassan Ali has said that there was no definite policy for giving medical relief in rural areas. I am really astounded to hear such an allegation. If my friend had cared to look into the budget he would have been thoroughly convinced that Government had done all that was possible to do in their present financial position to give medical relief in the rural areas. Medical relief to the mufassal people is given not always directly through the Government but in co-operation with the public bodies, like the municipalities and district boards. Government contribute a very large amount to these public bodies for medical relief and I am glad to declare that these public bodies are doing wonderful work, an account of which I shall have the pleasure of placing before the House to-morrow morning.

With these words I oppose the motion.

Revd. B. A. NAG: In view of the assurance—a very hopeful assurance—given by the Hon'ble Minister I beg leave of the House to withdraw my motion.

The motion of Revd. B. A. Nag was then, by leave of the Council, withdrawn.

The following motion was called but not moved:—

Maulvi SYED JALALUDDIN HASHEMY: "That the demand of Rs. 2,52,000 under the head '32C.—Grants for medical purposes' be reduced by Rs. 100 (not making provisions for recurring grants to the Jatia Aurbijnan Hospital and the Jadavpur Tuberculosis Hospital)."

Rai Bahadur Dr. HARIDHAN DUTT: I beg to move that the demand of Rs. 2,52,000 under the head "32C.—Medical—Grants for medical purposes" be reduced by Rs. 10 (to propose a scheme for training male nurses for male patients in hospitals).

I am in this difficulty that I have only three or four minutes' time, and I wish to make the best of this time at my disposal. I would only point out to this Council that for some time past I have been trying to make out a scheme for training male nurses who could take up partially the work of nursing hospital patients along with the existing staff of female nurses.

There is in Calcutta the Hospital Nurses' Association which has been training nurses for our hospitals, etc. It has been doing very good work; but in spite of the efforts of many influential persons conducting that institution and in spite of the fact that a large amount of money is being spent every year for its objects the requirements of our hospitals in Calcutta even cannot be met by it. It must be admitted that the aims and objects of the Association can only be fully

attained if very large sums of money are available. Of this, however, there is not much prospect. As the result of an agitation for Indian nurses there was an attempt made to have Bengali girls trained as nurses along with the European sisters and to take them up for the nursing of our hospital patients. Here the greatest difficulty was that suitable Bengali girls who could take up nursing as a profession were not easily available. All these things led us to think that the nursing of our male patients in our hospitals might well be left to male nurses who would take it up as a profession, so that whatever number of Indian women would take up this profession could be diverted to the nursing of female patients in our hospitals. With a view to that I am suggesting that the Government should organise a cadre of male nurses recruited from among young *bhadralok* Bengalees who have received education up to the matriculation standard of the University, give them a year's training and subsequently give them a pay of Rs. 40 to Rs. 120. This in short is my scheme and I hope it will receive sympathetic consideration at the hands of Government.

The Hon'ble Mr. BIJOY PRASAD SINGH ROY: As a matter of fact this proposal is not quite new to Government. The Government sanctioned a scheme in September, 1929, but could not give effect to it for want of funds. This question of training and registration of nurses is now being considered by the State Medical Faculty and Government will be pleased to recommend the co-option of my esteemed friend Rai Bahadur Dr. Haridhan Dutt to this body and I hope his advice and suggestions will be very valuable to the members of the State Medical Faculty.

Rai Bahadur Dr. HARIDHAN DUTT: I accept that suggestion although that is not what I meant by my motion. In any case I beg to withdraw my motion.

The motion of Rai Bahadur Dr. Haridhan Dutt was then, by leave of the Council, withdrawn.

The motion that a sum of Rs. 46,30,000 be granted for expenditure under the head "32.—Medical" was then put and agreed to.

The following motions under the head "32.—Medical" were not called owing to the expiry of the time-limit:—

Mr. SARAT CHANDRA BAL: "That the demand of Rs. 14,000 under the head '32D.—Medical College—Scholarships, prizes, etc.' be reduced by Re. 1 (grievances of the students of the depressed classes in the matter)."

Mr. SARAT CHANDRA BAL: "That the demand of Rs. 16,000 under the head '32D.—Medical Colleges and Schools—Scholarships and prizes, etc.' be reduced by Re. 1 (grievances of the students of the backward classes)."

MUNINDRA DEB RAI MAHASAI: "That the demand of Rs. 9,62,000 under the head '32D.—Medical College and Schools' be reduced by Rs. 101 (to raise a discussion about the question of medical education generally and particularly to the necessity of retaining the services of Colonel MacGilchrist in the Calcutta Medical College till an equally qualified man in Physiology, Bio-Chemistry and Electro-Cardiograph is available for the College)."

Mr. MUKUNDA BEHARY MULLICK: "That the demand of Rs. 9,62,000 under the head '32D.—Medical Colleges and Schools' be reduced by Re. 1 (necessity of reserving a definite number of seats with stipends for the students of the backward classes)."

Maulvi MUHAMMAD HOSSAIN: "That the demand of Rs. 4,52,000 under the head '32E.—Mental Hospitals' be reduced by Re. 1 (inadequate accommodation for lunatics)."

MUNINDRA DEB RAI MAHASAI: "That the demand of Rs. 4,52,000 under the head '32E.—Mental Hospitals' be reduced by Re. 1 (to draw attention of Government to the want of accommodation of insane convicts in mental hospitals)."

MUNINDRA DEB RAI MAHASAI: "That the demand of Rs. 46,30,000 under the head '32.—Medical' be reduced by Rs. 5 (to draw attention to the urgency of the establishment of a sanitarium for tuberculosis patients and also to draw attention to the fact that nothing practical has been done to establish a medical school in the district of Hooghly and also to draw attention to the need of contributing more money to the training of dhais and for the introduction of the Ayurvedic and Unani systems)."

Khan Sahib Maulvi BAZLUL HUQ: "That the demand of Rs. 46,30,000 under the head '32.—Medical' be reduced by Re. 1 (to draw attention to the lack of sympathy in recruiting Mussalmans in every service cadre—Provincial, Subordinate and Ministerial)."

Mr. SARAT CHANDRA BAL: "That the demand of Rs. 46,30,000 under the head '32.—Medical' be reduced by Re. 1 (policy with reference to backward classes)."

Rai Bahadur SATISH CHANDRA MUKHERJI: "That the demand of Rs. 46,30,000 under the head '32.—Medical' be reduced by Re. 1 (general apathy and negligence of medical officer and attendants in admitting patients in hospitals)."

Adjournment.

The Council was then adjourned till 10-30 a.m., on Saturday, the 28th March, 1931, at the Council House, Calcutta.

Proceedings of the Bengal Legislative Council assembled under the provisions of the Government of India Act.

THE COUNCIL met in the Council Chamber in the Council House, Calcutta, on Saturday, the 28th March, 1931, at 10-30 a.m.

Present:

Mr. President (the Hon'ble Raja Sir MANMATHA NATH RAY CHAUDHURI, KT., of Santosh) in the Chair, the four Hon'ble Members of the Executive Council, the three Hon'ble Ministers and 103 nominated and elected members.

Oath or affirmation.

The following member made an oath of his allegiance to the Crown:—

Mr. W. L. ARMSTRONG.

Starred Questions
(to which oral answers were given).

Certain small hillocks in the midst of Government khas jotes in Cox's Bazar subdivision.

*170. **Rai Bahadur KAMINI KUMAR DAS:** (*a*) Will the Hon'ble Member in charge of the Revenue Department be pleased to state whether small hillocks in the midst of Government *khas jotes* leased out to the poor *jotedars* of different villages, such as Patali, Machuakhali and other contiguous and adjacent villages, of the Cox's Bazar subdivision in Chittagong, have been released from Reserved Forest and kept *khas* by Government?

(*b*) Is it a fact that they are now being let out to a zamindar, Maulvi Muzaffar Ahmed Choudhury?

(*c*) If the answer to (*b*) is in the affirmative, will the Hon'ble Member be pleased to state whether he is aware of a feeling of discontent and unrest among the poor *jotedars*?

(*d*) Is the Hon'ble Member also aware that these *jotedars* have for a long time been taking fuels and switches for their own use and

grazing cattle therein by taking a permit from the Government on small payment?

(*e*) Are the Government considering the desirability of discontinuing the intervention of a middleman?

MEMBER in charge of REVENUE DEPARTMENT (the Hon'ble Sir Provash Chunder Mitter): (*a*) These lands (hillocks) were recorded as *khas* by the Settlement Department and held *khas*, and being unfit for cultivation, are not generally settled raiyatwari except for the purpose of building homesteads.

(*b*) No. The Forest Department granted temporarily to Khan Sahib Maulvi Muzaffar Ahmed the right to issue permits for grazing and forest produce in certain areas in Patali, Tetoia and Totokhali at the scheduled rate sanctioned by Government. This is not a case of land settlement.

(*c*) No. It does not appear that there exists any feeling of discontent and unrest among the *jotedars*. Certain villagers filed petitions of objection before the Collector.

(*d*) No. The tenants previously grazed their cattle in and took fuel from the hillocks surreptitiously without taking any permit.

(*e*) The matter is under consideration of the Commissioner.

Constitution of the Bengal Road Board.

***171. Raja Bahadur BHUPENDRA NARAYAN SINHA, of Nashipur:** (*a*) Will the Hon'ble Minister in charge of the Local Self-Government Department be pleased to state the constitution of the present Bengal Road Board and the names of its present members?

(*b*) Are the members of the Standing Committee of the Public Works Department nominated to it?

(*c*) If not, why not?

(*d*) Have all the districts been represented on it?

(*e*) If not, which of the districts are represented?

MINISTER in charge of LOCAL SELF-GOVERNMENT DEPARTMENT (the Hon'ble Mr. Bijoy Prasad Singh Roy): (*a*) A list is laid on the table.

(*b*) No.

(*c*) The Road Board is sufficiently large as it is and the Standing Committee of the Public Works Department does not appear to stand in any special relation to its functions which are to advise on the programme for grants from the Central Road Fund.

(*d*) No.

(*e*) See (*a*).

List referred to in the reply to clause (a) of starred question No. 171, showing the members to advise Government on the programme for expenditure from grants from the Central Road Fund for the year 1931.

(1) The Hon'ble Minister in charge of the Local Self-Government Department, President.

(2) Secretary to the Government of Bengal, Finance Department.

(3) Secretary to the Government of Bengal, Public Works Department.

(4) Secretary to the Government of Bengal, Local Self-Government Department.

(5) Chief Engineer, Public Works Department.

(6) Rai Keshab Chandra Banarji Bahadur, Chairman, Dacca district board.

(7) Raja Moni Lal Singha Roy, C.I.E., Chairman, Burdwan district board.

(8) Maulvi Jalaluddin Ahmad, Chairman, Chittagong district board.

(9) Maulvi Syed Nausher Ali, M.L.C., Chairman, Jessore district board.

(10) Mr. W. L. Travers, C.I.E., O.B.E., M.L.C.

(11) Mr. Sadhan Chandra Ray, representative of the Bengal National Chamber of Commerce

(12) Mr. I. P. F. Campbell, representative of the Bengal Chamber of Commerce.

(13) Mr. A. H. C. Rostron, Chairman of the Motor Industries Association.

(14) Mr. G. S. Bocquet, C.I.E., V.D., M. INST. T., A.-D.C., representative of railways in Eastern Bengal.

(15) Mr. F. M. Leslie, representative of the Automobile Association of Bengal.

2. The Board as constituted will hold office for the year 1931.

Maulvi SYED MAJID BAKSH: Will the Hon'ble Minister be pleased to state the principle he has followed in making these appointments?

The Hon'ble Mr. BIJOY PRASAD SINGH ROY: We have got the members of certain district boards on the Road Board Committee. What we propose to do is to keep this board for the next three years when we shall appoint another set of members. This is to enable us to have continuity of the work of the board.

Maulvi SYED MAJID BAKSH: Will the Hon'ble Minister be pleased to state why some district boards are represented and some are not?

The Hon'ble Mr. BIJOY PRASAD SINGH ROY: We have taken one district board from each division.

Khan Bahadur Maulvi AZIZUL HAQUE: Will the Hon'ble Minister be pleased to consider the election of representatives from this House on the board?

The Hon'ble Mr. BIJOY PRASAD SINGH ROY: I do not think it will serve any useful purpose.

Unstarred Questions

(answers to which were laid on the table).

Moslems on the ministerial staff of the Board of Revenue.

107. Maulvi MUHAMMAD FAZLULLAH: (*a*) Will the Hon'ble Member in charge of the Revenue Department be pleased to say how many vacancies in the ministerial staff of the Board of Revenue occurred during the last three years and how many of them have been given to Moslems and non-Moslems, respectively, and what is the total number of ministerial appointments in that office and how many of them are held by Moslems and non-Moslems?

(*b*) In filling up the vacancies referred to in clause (*a*), were the orders of the Appointment Department for the increased appointment of Moslems in ministerial services in Bengal followed by the Board? If not, why not?

The Hon'ble Sir PROVASH CHUNDER MITTER: (*a*) The total number of ministerial posts in the office of the Board of Revenue is 35, out of which 10 are held by Muhammadans. Out of 12 vacancies which occurred in the period 1928-29 to 1930-31, 8 have been filled up hitherto. Muhammadans were appointed to 6 of the 8 vacancies.

(*b*) Yes.

Statement of work in the office of the Inspector-General of Police.

108. Haji LAL MUHAMMED: (*a*) Will the Hon'ble Member in charge of the Police Department be pleased to state how many clerks

in the Chief Secretary's offices and in the office of the Inspector-General of Police, respectively, have been invalided during the last five years?

(*b*) Is it a fact that the ministerial officers in the office of the Inspector-General of Police, Bengal, have proportionately been invalided more annually than in the offices of the Finance Secretary and Chief Secretary? If so, what is the reason?

(*c*) Is it a fact that the proportionately greater physical incapacitation in the Inspector-General of Police's office is due to overwork? If not, to what is this due?

(*d*) Will the Hon'ble Member be pleased to state how many letters are daily received in the office of the Inspector-General of Police and the Police Department of the Secretariat, respectively?

(*e*) What is the number of clerks who diarise the fresh letters in these offices, respectively?

MEMBER in charge of POLICE DEPARTMENT (the Hon'ble Mr. W. D. R. Prentice): (*a*) Four in Chief Secretary's offices, and four in the office of the Inspector-General of Police.

(*b*) No. Only in the year 1930 was the proportion greater.

(*c*) The greater proportion of physical incapacitation in the office of the Inspector-General of Police in the year 1930 is reported to have been purely fortuitous and not to be due to overwork.

(*d*) Seventy-eight in the office of the Inspector-General of Police and 13 in the Police Department of the Secretariat.

(*e*) Two in the office of the Inspector-General of Police. There is no separate post of diarist in the Police Department. The work is done by another clerk in addition to his ordinary duties.

Court accommodation of Honorary Magistrates in Bankura.

109. Babu SATYA KINKAR SAHANA: (*a*) Is the Hon'ble Member in charge of the Revenue Department aware that owing to insufficiency of court rooms in the Bankura town, the Stipendiary and Honorary Magistrates are often compelled to hold courts in tents, even at a time when the temperature under the shade goes up to 118°?

(*b*) Are the Government aware that the Central Hall belonging to the Wesleyan Mission and standing on *khas mahal* lands has been offered to Government for sale at a low price?

(*c*) If so, do the Government intend to accept the offer for utilisation as court rooms for Honorary Magistrates?

The Hon'ble Sir PROVASH CHUNDER MITTER: (*a*) Yes.

(*b*) It has been offered, but it is not yet known whether the price can be considered low.

(*c*) The question of accepting the offer is under examination by the local officers.

Nature of transactions carried on in the East India Jute Association, Limited.

110. Maulvi ABDUS SAMAD: (*a*) Has the attention of the Hon'ble Member in charge of the Police Department been drawn to the nature of the transactions carried on in the East India Jute Association, Ltd.?

(*b*) Have the police inquired into this matter?

(*c*) If so, what is the result of the inquiry?

(*d*) Has the opinion of the Public Prosecutor been taken in the matter?

(*e*) If so, what is his opinion?

(*f*) Do the Government propose to take any action in these matters?

(*g*) Is the Hon'ble Member aware that there were several cases in the Police Court in which the parties complained of their cashiers and durwans losing money in this Association by gambling?

(*h*) Is the Hon'ble Member aware that in league with a few rich persons this Association is carrying on gambling transactions?

(*i*) Have the Government received any complaint?

The Hon'ble Mr. W. D. R. PRENTICE: (*a*) and (*b*) Yes.

(*c*) Inquiries are still proceeding.

(*d*) Yes, in 1927.

(*e*) Prosecution was not justified.

(*f*) Action will be taken whenever reliable evidence is received to the effect that a breach of the law is being committed.

(*g*) Nothing is known about any such case.

(*h*) Such allegations have been made but never substantiated.

(*i*) Yes, but not from any disinterested source.

Service of notice under section 144, Criminal Procedure Code, on Babu Nrityagopal Bhattacharjee.

111. Babu KHETTER MOHAN RAY: (*a*) Is the Hon'ble Member in charge of the Police Department aware that Babu Nrityagopal Bhattacharjee, a representative of the Bengal Provincial Hindu Sabha, was served with a notice under section 144 prohibiting him from staying in the subdivision for a period of two months?

(*b*) Is it a fact that he was made to leave Nilphamari town by the next available train under circumstances of great inconvenience?

(*c*) Is it a fact that he saw the Subdivisional Officer and was instrumental in bringing to his notice the grievances and disabilities of the local Hindus?

(*d*) Will the Hon'ble Member be pleased to state whether the said gentleman participated in any illegal activities?

(*e*) If the answers to (*a*), (*b*) and (*c*) are in the affirmative, will the Hon'ble Member be pleased to state what are the reasons which induced the local authorities to pass the aforesaid order under section 144, Criminal Procedure Code?

The Hon'ble Mr. W. D. R. PRENTICE: (*a*) Yes.

(*b*) He was directed to leave Nilphamari by the "next available train which would enable him to depart." Government are not aware of the amount of inconvenience caused by the order to the issue of which Babu Nrityagopal Bhattacharjee raised no objection.

(*c*) He is reported to have made frequent visits to the Subdivisional Officer in his bungalow accompanied by a large number of Hindus and to have made numerous allegations of a panicky nature.

(*d*) No, so far as Government are aware.

(*e*) A copy of the order under section 144, Criminal Procedure Code, is placed on the table.

Copy of order referred to in the reply to clause (e) of unstarred question No. 111.

COPY OF PROCEEDINGS UNDER SECTION 144, CRIMINAL PROCEDURE CODE.

Whereas it has been made to appear to me that Babu Nrityagopal Bhattacharjee, said to be a representative of Bengal Provincial Hindu Sabha, is moving about in this subdivision making attempts, by calling meetings of Hindus and otherwise, to open or revive local

branches of the Hindu Sabha which is a communal organisation, and such acts on his part are likely to foment and spread feelings of antagonism between the two communities between whom there is already a considerable amount of high tension and breach of peace is imminently probable as a result, I hereby order Babu Nrityagopal Bhattacharjee under section 144, Criminal Procedure Code, to refrain from staying within my jurisdiction later than the time of the next available train which would enable him to depart.

Khan Bahadur Maulvi AZIZUL HAQUE: Is the Hon'ble Member aware that Babu Nrityagopal Bhattacharjee is the same man who moved about the Nadia district just before this incident?

The Hon'ble Mr. W. D. R. PRENTICE: Yes, I think I recognise the name.

DEMANDS FOR GRANTS.

33.—Public Health.

The Hon'ble Mr. BIJOY PRASAD SINGH ROY: On the recommendation of His Excellency the Governor, I beg to move that a sum of Rs. 41,81,000 be granted for expenditure under the head "33.—Public Health."

In placing this demand before the House, I may say that the demand under the head "Public Health" is higher by Rs. 85,000 than even the budget estimate of the current year. The grants for malaria and kala-azar, public health organisation in the districts, augmentation grants to the district boards, remain intact.

If it were not an abnormally lean year, several new schemes have been taken up; but most of these new works had to be postponed. Bengal is in chronic state of financial want. But in spite of that the State grant for public health work has substantially increased in course of the last five years. While the grant on education has been decreased by 17·6 per cent., medical 15·6 per cent., the grant on public health has been increased by 85·8 per cent. I am glad to say that in spite of serious financial difficulties, it has been possible to maintain most of the grants intact in the next year's budget. The result of the combined activity of the local bodies and the Government on the public health of the province has proved very satisfactory.

In 1929, the number of births was 1,361,278, of death 1,094,263, against 137,560 and 1,189,015 in 1928. The population increased by 267,000 in 1929. Except in the districts of Jessore and Rajshahi, everywhere the death rate is below birth rate. Infant mortality has also decreased. In Calcutta and Dacca maternity centres have been opened, and they are doing very useful work. Besides in Calcutta and Dacca, 1,076 *dais* were given elementary training by local bodies with Government aid. There were 139 baby shows in the province in 1928-29. The number of deaths from malaria in 1929 was 335,414 against 368,691 in 1928 and against 737,223 in 1921. So also in case of kala-azar 140,970 in 1928 and 114,145 in 1929. Rupees 4,20,000 was contributed to the district boards on various accounts during the year 1929-30.

In the year 1926-27, which can suitably be taken as a standard year before the introduction of rural health units, the expenditure on public health and medical relief was just under Rs. 22 lakhs with Government aid of Rs. 3,84,000. In the year 1929-30, the expenditure under this had risen to nearly Rs. 32 lakhs and the State grants for the purpose to nearly Rs. 12 lakhs. These figures are themselves sufficient to show the increasing financial responsibility taken by the Government for medical relief and public health work. The most prominent feature in public health work is the rapid spread of rural health units in charge of Sanitary Inspectors, financed by Government but administered by the district boards. Health units have been established in 555 thanas by the end of 1929-30 and will be extended to the few remaining thanas. The ideal of having one dispensary for each thana is being rapidly approached. The number of dispensaries maintained or aided by the Government has increased from 906 in 1928 to 929 in 1929-30 and the programme is being gradually carried out, so that by the end of the current year their number is likely to increase further. Expenditures on these heads have been scrupulously maintained. The Government have also committed themselves to the contribution of Rs. 1,50,000 to Rajshahi Water-works by contributing Rs. 1,000, for Bhatpara Sewerage Scheme Rs. 1,50,000 has been provided in the next year's budget. All these have been done in spite of financial stringency.

I admit that we are yet far from our goal. I may assure the hon'ble members of this House that medical relief and public health work in Bengal would have made at least 50 per cent. more progress but for the unfortunate game of the ministry baiting.

By way of anticipating some of the motions relating to expenditure on rural public health, it may interest members if I say a few words about the action taken as the result of the report of the committee on Rural Public Health which was appointed last year, and I trust, Sir, that you would be able to allow me some slight latitude in touching on these as it will be found that though not strictly of financial

character the proposals of the committee do bear directly on the Public Health budget. To begin with, the committee expressed its appreciations of the work done by rural health units which I find criticised in one motion. They state that "the committee appreciate the value of the system of rural health units introduced with Government aid," and now the expenditure on these units exceeds 25 per cent. in the Public Health budget. In connection with the demand for Rs. 12,00,000 for grants for Sanitary Inspectors in charge of rural health units, I may say that one of the steps taken as the result of examining the committee's recommendations—

(1) Is to fix rather more definitely the statutory basis of these appointments and to frame rules defining the functions of these officers.

(2) The committee drew special attention to the sanitary committee of district boards, and we have initiated inquiries to ascertain what functions have been delegated to these committees as the first steps towards reorganising their basis.

(3) Another of the committee's recommendations which we have followed up is the proposal to make greater use of the powers of the Epidemic Diseases Act to deal with epidemics in the districts; and we have invited district boards to frame a set of standing rules applicable to the district which would be readily put in force in case of emergency.

(4) Another result of the committee's recommendations has been to direct the attention of Government to the powers of district boards towards sanitary control of fairs, *melas* and bazars. This is a question which has not yet been faced, but we are advised that the district boards have power to make by-laws for the sanitary control of fairs, *melas* and bazars, and have circulated for preliminary opinion simple model by-laws which will well prove to be the first step in the most important extension of the sanitary powers of these local bodies. It will be appreciated that all these measures associate themselves in one degree or another with the organisation of rural health units under the control of district boards which, as I have mentioned now, forms by far the largest individual items in our budget.

Khan Bahadur Maulvi AZIZUL HAQUE: Will a copy of the report be circulated?

The Hon'ble Mr. BIJOY PRASAD SINGH ROY: Yes, it will be circulated.

MUNINDRA DEB RAI MAHASAI: I beg to move that the demand of Rs. 88,000 under the head "33A.—Public Health—Establishment—Contribution towards pay of Health Officers and Sanitary Inspectors" be reduced by Rs. 101 (to draw attention to the failure of the Department to pay its half share of contribution as undertaken at the time of their appointment to some municipalities specially to the Bansberia Municipality).

Sir, I feel a certain amount of hesitancy in moving this motion as the poor municipality of Bansberia is involved in it, lest it be brushed aside as a domestic affair of its chairman who unfortunately happens to be the mover of this motion. A Sanitary Inspector of the municipality was appointed in 1921 on the understanding that half of his pay should be paid out of provincial revenues. From the file which I hold in my hand now, I find that the Director of Public Health, Bengal, in his letter No. 40068., dated the 29th March, 1921, wrote to the chairman, Bansberia Municipality, through the District Magistrate, Hooghly, that "in my opinion, in order to have better and efficient management of the conservancy work and the trenching grounds, it is very desirable that steps should be taken for the early appointment of a Sanitary Inspector. Under section 349D of the Bengal Municipal Act, the Bansberia Municipality is under statutory obligation to provide a qualified Sanitary Inspector. As the local Government will be prepared to meet half the cost of appointing a Sanitary Inspector, the municipal commissioners may be urged, in the interests of the public health of the town, to employ a Sanitary Inspector, recovering half the cost from provincial revenues."

Notification No. 3131 P.H., dated the 22nd September, 1921, under the Ministry of Local Self-Government, was published in the *Calcutta Gazette*, under sub-section 349C of the Bengal Municipal Act, 1884, as amended by the Bengal Municipal (Sanitary Officers) Act, 1914, declaring Part XI B of the Bengal Municipal Act, 1884 (as so amended), to be in force in the Bansberia Municipality. The District Magistrate of Hooghly in his letter No. 3639J.G., dated the 21st October, 1921, asked the chairman to submit an application for Government's contribution towards the pay of the Sanitary Inspector and since then the municipality is asking for Government's contribution from year to year and on some pretext or other it is being put off or rather attempts are being made to deny liability. I do not wish to tire the patience of the House by going through the correspondence which took place on the subject during the last ten years. Government has not paid a *cowrie* as yet as its contribution. I do not know what was the necessity of making large promises and making smooth excuses afterwards. Such sort of treatment does not enhance the reputation of any Government but rather lessens it in the public estimation. I have brought this motion with a view to warn the Government of the evil

consequences which result therefrom. It is most objectionable to feed one with false hopes. I should like to ask the Hon'ble Minister to redeem the promise and save the reputation of Government.

The chairmen of some other municipalities also made to me similar complaints which emboldened me to move in the matter.

With these few words, I commend my motion to the acceptance of the House.

The Hon'ble Mr. BIJOY PRASAD SINGH ROY: I thank the hon'ble member for drawing the attention of the House to this matter. I can give him the assurance that as soon as funds permit Government will certainly take up this question. I cannot say anything more at the present moment. I hope the hon'ble member will accept this assurance and agree to withdraw his motion.

The motion of Munindra Deb Rai Mahasai was then, by leave of the Council, withdrawn.

Mr. MUKUNDA BEHARY MULLICK: I beg to move that the demand of Rs. 88,000 under the head "33A.—Public Health Establishment—Supplies and Services—Contribution towards pay of Health Officers and Sanitary Inspectors" be reduced by Re. 1 (necessity for appointing more such officers from amongst the candidates of the backward classes for rural work).

Sir, my only object in bringing forward a motion like this is to draw the attention of the House and of the Government to the improper and inadequate method of recruiting Sanitary Inspectors and to the necessity for appointing more such officers from amongst the candidates of the backward classes for rural work in the interior of the province. You will find, Sir, that there is this Department of Public Health with the Director at its head; and there is also an arrangement to train up young men in this technical branch, who possess the initial necessary educational qualifications and who come up to the department for this training. The duty of these officers, when appointed to this very useful department, ought to be amongst others to teach elementary rules of sanitation and health to the illiterate millions of masses in the mufassal. I do not claim to know much of their actual work in the rural areas, but what little knowledge I possess, I have seen that these officers practically work as vaccinators while moving from place to place. They seem to be satisfied by discharging their duties in this way: and it seems that they forget their real and very important work which I consider ought to be in the nature of a propaganda by way of teaching the people the simple and elementary laws of health. I hope the House will agree with me when I say that whenever there is any epidemic in the nature of cholera, pox, etc., it is the poor and the illiterate who suffer most.

This is due to their ignorance as also to their poverty and in some cases to superstitious ideas. The staff of trained sanitary officers is very inadequate and wherever these officers exist, they cannot, and in many cases do not, practically render any help. The reason seems to me to be that these officers in most cases have neither any sympathy with, nor any respect for, the people amongst whom they have to work. It is indeed very essential in all public services that whatever the grade and position of the officers may be, they must have respect for the people whom they are called upon to serve. Failure and mistrust arise whenever there is any deviation from this elementary principle governing the spirit of all public servants. It was indeed gratifying to hear from the Hon'ble Kumar Shib Shekhareswar Ray, the then Minister in charge of the Department of Public Health, when he uttered very encouraging words last year in his budget speech in this connection. I quote his words: "We have also made considerable progress in Public Health Department. Our scheme of providing every thana in Bengal—some 600 in number—with a sanitary unit in charge of the specially trained Sanitary Inspector, will be complete this year and for this we have provided the sum of Rs. 12,00,000. Our efforts to combat malaria, kala-azar, smallpox and cholera have met with very gratifying results and a perusal of our Public Health report will, I am sure, gladden the heart of the greatest pessimist among us. Sir, it gives me much pleasure to announce publicly that we have almost succeeded in bringing this kala-azar menace under control and in a few years' time there will be no trace of it left in Bengal." Sir, these are indeed very encouraging words of robust optimism of the late Minister. It is really gratifying to hear now from the present Hon'ble Minister that this has not been kept hidden under red-tapeism and that some part of it at least has been translated into action. I would only request the Hon'ble Minister to finish the scheme as it is really a very important one.

Sir, as I have said that in the Department of Public Health, there is an arrangement for training young men for this work and I venture to think that those candidates of the backward classes who have been born and brought up in the same conditions and circumstances as the people themselves whom the Sanitary Inspectors are called upon to serve, when they are appointed as such, would prove themselves much better able to do this work than those who come here merely to find a job. You will find that this is not the Executive or the Judicial Department of the Government. It must be admitted, as I have already indicated, that the people who live in the remotest villages, amongst whom the backward classes form the large portion, require the assistance of the sanitary officers for elementary lessons on sanitation and I maintain that when there is a fair number of them otherwise qualified, to undergo the special training, their cases should be sympathetically considered. These

young men should be given that initial training and appointed to this work in order that they might be of real service to the community, for, they will have their hearts in the work and will not be like those who come only for the purpose of finding a job.

With these few words, I commend my motion to the acceptance of the House.

Maulvi MUHAMMAD FAZLULLAH: I beg to move that the demand of Rs. 1,98,000 under the head "33A.—Public Health Establishment" be reduced by Re. 1 (to express disapproval of the present system under which insufficient number of Moslems are admitted for sanitary training).

I move this to express disapproval at the insufficient number of Mussalmans appointed as Sanitary Inspectors. The rural public health organisation has been inaugurated only within last few years at a time when the question of appointment of the Mussalmans in public services was in forefront and yet in recruiting officers in the ranks of Sanitary Inspectors under this organisation, proper notice was not taken of the claims of the Mussalmans. Here was an opportunity lost. Heaven knows when it will be possible to rectify this. This shows how we are handicapped. I do not want to take much time of the House on this point. As facts are glaring enough, they do not require any further comment from me.

Khan Bahadur Maulvi AZIZUL HAQUE: I beg to support the motion moved by my friend Maulvi Muhammad Fazlullah regarding the insufficient number of Muhammadans admitted for sanitary training. Out of 588 Sanitary Inspectors recruited during the last two or three years, only 110, of which 24, by accident alone, came from the district of Mymensingh, were Muhammadans. It will surprise the House to hear what qualifications are needed for this post. The question of the appointment of Muhammadans in this service was taken up during the last two or three years at a time when the question of Moslem appointments was in the air and the attention of Government was drawn to the paucity in the number of these appointments. It is really unfortunate and painful and I much regret that we should have to draw the attention of the House to the question of the paucity of Moslems whether in the University or for sanitary training. But, Sir, I want to assure you, on behalf of myself and the party to which I belong, that we never considered that the Hindus were our enemies and therefore we are taking up this question. Unfortunately, Sir, a suggestion was made yesterday by my friend Maulvi Abdus Samad to the effect that when we approached all these questions we considered the Hindus our enemies. I repudiate this charge and I say it is not simply because we consider the Hindus our brethren but because we

value their trust in us. This want of trust, we feel, is more dangerous not only for the Hindu community but for all people like that———

Mr. PRESIDENT: I cannot allow you to revive yesterday's discussion on communal lines, in spite of the fact that it has already been closed.

Khan Bahadur Maulvi AZIZUL HAQUE: I beg your pardon, I withdraw what I have said. I pointed out that I wanted to draw the attention of the House to the fact of the totally insufficient number of Moslems in this department; I do not do this with a view to criticise the ministry, but I trust the members present will realise the situation and see that some steps are taken to increase this number. If the Minister does not know how to obtain suitable candidates, I am sure there are many leading Moslems who would be only too glad to assist him to obtain suitable candidates.

11 a.m.

But we only hope that the Hon'ble Minister will realise the situation and will kindly see that steps are taken to recruit Muhammadans. If he agrees, I think it will be possible to find out suitable Muhammadans.

With these few words, I beg to support this motion.

Rai Bahadur KESHAB CHANDRA BANERJI: I fully sympathise with the object of the mover of this motion that more Muhammadans should be taken in for training as Sanitary Inspectors, but at the same time I would like to draw the attention of the mover and the members of this House to the fact that the number of Muhammadans at present employed as Sanitary Inspectors is not very small considering the number that comes up for training. I can say from my own experience that out of 32 Inspectors in the district of Dacca, the representation of the Muhammadan community is not wholly unsatisfactory. (A VOICE: Question; out of 26 only six are Muhammadans.) In any case I know that the number of Muhammadans who apply for training as Sanitary Inspectors is not large. As far as I remember, I recommended a fairly good number for admission to the sanitary training class; but as the ultimate selection of these candidates rested with Government, I do not exactly know what number could stand the preliminary test. But so far as my information goes, the number of Muhammadans who were candidates for training as Inspectors and the number of those employed as such is not very large; but I very much wish that qualified Muhammadans were taken in as far as practicable. If there is a paucity of Muhammadan candidates, what can the department do?

With these words, I support the motion.

The Hon'ble Mr. BIJOY PRASAD SINGH ROY: First of all, I will attempt to reply to what has fallen from my friend Mr. Mukunda Behary Mullick. Of course when the Hindu or non-Muhammadan candidates apply and are admitted to the training classes, they do not as a rule state to what class they really belong. So it is rather difficult for Government to find out whether a candidate belongs to the depressed class or not. The attitude of Government towards the members of the depressed class is well known, and I can give this much assurance to my friend that I will see that larger number of members of the backward classes are admitted in the training classes.

As regards the charge that Muhammadans are not given proper facilities either for admission or for employment as Sanitary Inspectors, I do not agree with my friend Khan Bahadur Azizul Haque. The rules are there and only yesterday they were placed before the House. I shall read out a few lines from the rules for the appointment of Sanitary Inspectors. The minimum educational qualification according to the rules is matric passed certificate. For Hindu candidates preference is always given to I. Sc. passed candidates of whom we get a sufficient number. As regards the Muhammadans, the paucity of their number compels the committee to accept not infrequently the third division passed matriculates. A similar concession is made to the backward classes. That is the rule which is strictly followed by Government. With regard to appointments made in 1928, 36 Muhammadans were trained and all of them were appointed. In 1929, 31 Muhammadans received training and all of them were appointed. In 1930, out of the 21 Muhammadans who received training, two were appointed, not because they were Muhammadans but because there were lesser number of appointments. So I do not think there is much in the charge that Muhammadans are shut out from these appointments. If Muhammadans do not come forward, the fault lies with the community. The Muhammadan leaders would do well to go and preach among their own community to take advantage of the rules that are there. (A VOICE: Muhammadans are not informed.) Well, if the Hindus are informed, I do not understand how the Muhammadans are not informed. The rules are there in the Secretariat and they are both for the Hindus and Muhammadans, and it does not lie at least on the lips of an educated Muhammadan to say that the Muhammadans do not know what the rules are. If the members of this community do not know the rules, it is for him to make them know, it is for him to urge with a greater energy upon the members of his community that they should come forward for appointment as Sanitary Inspectors, and he should not remain satisfied by making complaints in this House.

The motion of Mr. Mukunda Behary Mullick was then, by leave of the Council, withdrawn.

The motion of Maulvi Muhammad Fazlullah was then put and lost.

MUNINDRA DEB RAI MAHASAI: I beg to move that the demand of Rs. 5,20,000 under the head "33A.—Public Health Establishment—Director of Public Health" be reduced by Rs. 101 (to express disapproval at the insufficiency of grants for the publicity works of the Public Health Department).

Sir, the object of my moving this motion is to draw the attention of the Hon'ble Minister of Public Health to the inadequate provision for the publicity and educational work of the department. Sir, it is admitted on all hands that publicity work does much good to the people. Demonstrations, lectures and magic lantern shows are important factors in the education of the people in sanitary matters. Sir, Lord Macaulay once styled Bengal as the "Garden of Eden in health and prosperity," but those halcyon days have long passed away. It is now the abode of disease, death and desolation. Malaria, cholera, smallpox, kala-azar, tuberculosis and such other fell diseases are sweeping away thousands of its inhabitants year after year. Villages which once smiled with peace and plenty are now in the grip of disease and poverty. Sir, it is a matter of regret that the decadence of rural Bengal has not moved the Government by an inch to take drastic steps to cope with diseases which, according to the evidence of Dr. Bentley before the Agricultural Commission, are preventible. If most of these diseases are preventible, why not make serious attempt to prevent them? Government in Italy, Greece and Turkey have stamped out malaria from their respective countries. Panama canal which was once full of malaria has been freed of the disease by the untiring efforts of its Government. But here our Government is as callous as ever. Malaria and cholera are reigning supreme wroughting havoc in the country side. Tuberculosis is a disease which is daily on the increase. The victims are generally young men and women who are being cut off in the prime of life. It is eating into the vitals of the nation, but no serious attempts have been made to check its course. Only yesterday morning, a young man of my family succumbed to this fell disease. Two years ago he was a stout and strong man of 20, but he died a mere skeleton after lingering for two years. I know of some families which have been wiped out by tuberculosis. The spread of this disease can be checked if the matter be taken up seriously. Sir, do the Public Health Department really feel for the people? I think not. It is all cut and dried official business. May I ask whether they know of a locality in Kalighat called Mukharjipara, which is nowadays called *Jaksha-para*, where there are tuberculosis patients in almost every family? Have they

ever cared to look after these people? I think not. It is a matter of great shame that there is practically no tuberculosis sanitarium in Bengal excepting a few beds in Jadabpur, while Madras, Bombay, Bihar and United Provinces have provided excellent sanitariums. I should ask the Public Health Department to bestir itself in fighting with tuberculosis and help to save the nation from death and desolation. Sir, publicity helps to rouse sanitary consciousness in the people which goes a great way to prevent the spread of many a disease. Sir, one-fifth of the revenue of Bengal had been absorbed by Law and Order. Had half the amount been added to the funds of the Public Health Department, it would have been the means of saving this almost dead and dying race. With these words, I commend my motion to the acceptance of the House.

Khan Bahadur Maulvi AZIZUL HAQUE: Sir, without moving my motion I should like, with your permission, to speak on the motion that has been moved by my friend Munindra Deb Rai Mahasai. In doing so, I hope I will not draw the iresome eyes of my friend the Hon'ble Mr. Bijoy Prasad Singh Roy because in spite of the fact that I said it was not his fault if the Muhammadans did not come forward, he did not appear to be very pleased. I drew the attention of the Hon'ble Minister for the reason that we look upon him as a representative of the people and so we certainly expect a little departure from the usual way.

I want to draw the attention of the Hon'ble Minister to the question of public health policy with particular reference to kala-azar grants. The work in connection with kala-azar is practically done by the district boards, but unfortunately this grant is not a fixed one with the result that in a particular year the district board gets Rs. 10,000 for opening ten centres. Next year they are told that not more than Rs. 3,000 could be given. The result is that they have to shut up several centres and continue only in three places. Well, Sir, I fully realise the financial difficulties of Government. We know that though the district boards are in a noncommital position in this respect, yet the people in general will not look with favour the closing of centres in particular areas where they have been highly popular. We of course realise that we are asking for this grant at a time when there is so much difficulty. We are particularly anxious to see that this grant is made steady and the district boards are allowed to do uniform work. I should certainly thank Government for helping the district boards in taking up anti-kala-azar measures and also the late Minister Kumar Shib Shekhareswar Ray for the policy pursued by Government as a result of which the amount of kala-azar is much less at present than a few years back. I think credit is due to the Bengal Public Health Department for the way in which it has tackled the kala-azar problem.

11-15 a.m.

I would also like to pay my tribute on behalf of myself and the district boards to a Bengali physician, Dr. Upendranath Brahmachari, for discovering a medicine which is proved efficacious for kala-azar. I hope the Minister will be pleased to consider if a fixed grant for a fixed period cannot be given to the district boards for tackling kala-azar.

Then, as regards the publicity work. There is very much scope for carrying on the publicity work in co-operation with the district boards. I am certainly grateful to the Department of Public Health for carrying on the work and it has done a certain amount of use in the districts. By means of cinema and lantern shows and lectures, an interest has been created in the minds of the villagers and I can tell the House from my personal experience that in a particular centre people come from miles round in bullock-carts to take part in the work and to get instructions. One particular picture which interested the villagers, I remember, was about the treatment of cow before she is in milk and after and this interested the villagers very much. I would ask, however, the Hon'ble Minister to consider the question of co-ordinating the work of the district board and Public Health Department so far as the publicity work is concerned. I am sure better work could be done by that way. That would be possible if the Government employs the district boards as the central agency through which this work should be carried. It may perhaps be necessary to draw out a programme so that the work of the district boards may not clash with that of the Public Health Department.

The third problem is the problem of food-adulteration. In this direction the Government can also help the district boards in many ways. Unfortunately Magistrates have peculiar ideas that food-adulteration is not a criminal offence and they let off offenders with a nominal fine. In my opinion, more drastic steps are necessary in order to prevent food-adulteration. I admit that there are some difficulties in the Act itself, and I hope the Hon'ble Minister will soon be in a position to amend the Act. In this connection, I would draw the attention of the Hon'ble Minister to the Public Health laboratory against which I have no complaint to make except that the staff should be increased with a view to tackle the problem seriously.

Rai Bahadur KESHAB CHANDRA BANERJI: I rise to support the motion. I would draw the attention of the Hon'ble Minister to the necessity for an increased grant under this head for publicity work in the rural areas. Since the Public Health Department has come into being, the activities of the publicity officer has been greatly appreciated by the public and the continuance of this system is considered essential in the interest of public health, hygiene and sanitation. I can say from my personal experience of the working of this branch in my

district that the propaganda work carried on by the publicity officer has yielded satisfactory results and the lectures delivered by Rai Bahadur Kaliprasanna Roy in connection with the social service exhibitions and the conferences of union board presidents and panchayets held at Dacca from time to time were highly appreciated and they succeeded in rousing sanitary consciousness among the people. I fully agree with my hon'ble friend the Khan Bahadur that more money should be provided under this head. In my district, there were ten kala-azar centres of which four were maintained from grants received from Government, but I regret to say that two of these centres had to be abolished owing to the reduction of the Government grant. I might add that the value of these kala-azar centres is being increasingly recognised in view of the success achieved in the treatment of kala-azar patients. I would, therefore, draw the attention of the Hon'ble Minister-in-charge to the necessity of reviving those centres without further delay.

The Hon'ble Mr. BIJOY PRASAD SINGH ROY: Sir, I have listened with great interest to what has fallen from my hon'ble friend, Khan Bahadur Maulvi Azizul Haque. His criticisms are always very helpful and I am grateful to him for his suggestions. I can assure him at the outset that my department will give every consideration to any proposal that may come from any hon'ble member of this House.

As regards the publicity work, nobody would have been more pleased than myself if I could secure more money for the work. As has already been stated by several members, the Publicity Department is doing very good work. I wish that more money could have been provided for the Publicity Department. A scheme which will cost Rs. 24,000 is ready, but for want of funds, I am sorry I have not been able to give effect to it.

As regards kala-azar Rs. 1,00,000 has been provided for of which amount Rs. 50,000 is recurring and the balance, Rs. 50,000, is non-recurring. Kala-azar is decreasing but we have still maintained the full grant because the success of the campaign depends much in continuity of the work. I hope the hon'ble members will realise the financial difficulties of the Government; till the financial situation improves, it will not be possible for them to make the total amount a recurring grant.

As regards the Food Adulteration Act, there could be prosecutions for the sale of adulterated *ghee*, but no prosecution was legal for sale of food prepared out of adulterated *ghee*. But that lacuna in the Act has now been removed by the Food Adulteration Act of 1930 and I think the Act is already in force.

As regards the Public Health laboratory, Government have got a scheme ready and as a matter of fact we were seriously considering the

proposal of making certain grants to the district boards for the purpose of opening laboratories, but there also the same financial stringency stood in the way and with great reluctance we had to give up the idea until financial position improved.

As regards Munindra Deb Rai Mahasai's observations, I am afraid, I could not exactly follow what he said. My general reply is that Government are doing all that is possible to carry on the work for combating kala-azar and smallpox.

Lastly, about the grants for distribution of quinine, and other anti-malarial measures in rural areas, my hon'ble friend will find the figures in the budget which has been circulated.

The motion of Munindra Deb Rai Mahasai was then, by leave of the Council, withdrawn.

11-30 a.m.

Maulvi ABDUL HAMID SHAH moved that the demand of Rs. 5,20,000 under the head "33A.—Public Health Establishment" be reduced by Rs. 101 (to draw attention to the failure of the Food Adulteration Act to check the problem of food adulteration in rural areas).

He spoke in Bengali, the English translation of which is as follows:—

"Sir, in spite of the amended Food Adulteration Act the adulteration of such foodstuffs as oil, *ghee* and milk is going on unchecked. Adulteration of the pure mustard oil and wide circulation of the adulterated stuff in the mufassal has become a serious menace to the health of the rural people. It is regrettable that the Sanitary Inspectors maintained by the district boards do not raise a voice of protest against the sale of this adulterated oil, which has also struck a blow at the class of local oil producers. I request the Hon'ble Minister to see that some of the Sanitary Inspectors are engaged specially in keeping a strict watch on dealers of this kind of oil and bringing them speedily to book."

Rai Bahadur Dr. HARIDHAN DUTT: On a point of order, Sir. We just now heard the Minister saying about the effect of the action taken by Government with regard to the problem of food adulteration. I thought that that was the last word on the subject, but now I find my friend bringing another motion of the same nature about food adulteration.

Mr. PRESIDENT: The motion on which the Minister spoke was in connection with the Publicity Department. He might have made some general remarks about food adulteration, but that should not prevent the Shah Sahib to move his motion.

Khan Bahadur Maulvi AZIZUL HAQUE: Sir, I only wish to say one word in support of Maulvi Abdul Hamid Shah's motion. Under the present Food Adulteration Act, it is quite possible for the Sanitary Inspectors to check adulteration of food. It certainly depends upon the stamina of the Sanitary Inspectors to see that food adulteration is checked. But the difficulty is this: our cultivators are mostly illiterate and if a man sees an advertisement to the effect that "Here the mustard oil is pure," nobody so far as cultivators are concerned understands the implication. As a matter of fact the man keeps the oil for the purpose of the consumption of the villagers. A test case was brought against that man that in spite of the advertisement he was selling adulterated mustard oil unfit for human consumption. He stated that he did not intend to sell it and that he did not know what use would be made of it. The village people are duped in this way and that is the real problem. The Act has proved a failure to meet such cases.

Rai Bahadur Dr. HARIDHAN DUTT: Sir, I shall take up only a minute of your time in pointing out that food adulteration prevailing in the rural areas is very much connected with the conditions prevailing in Calcutta. Recently I took some steps to ensure the purity of mustard oil in Calcutta and in the course of discussion in connection with my proposal the importance of the people of the rural areas and the people of Calcutta working in concert was fully realised. The manufacturers of mustard oil who have got a large number of mills in Calcutta sent an application to the Select Committee appointed for considering my proposed Bill, and threatened that if the Calcutta Municipal Act was so modified as to prevent them from selling mustard oil in the way they had now been doing, they would transfer their mills outside Calcutta. I am drawing the attention of the Hon'ble Minister particularly to this matter as to how the mill owners have thrown a challenge that if they were going to be thwarted by an amendment of the Calcutta Municipal Act in their manufacturing adulterated mustard oil, they will transfer their mills outside Calcutta. I think my friend Khan Bahadur Azizul Haque who takes an intelligent interest in this matter will not forget that what is likely to be beneficial to Calcutta will be beneficial to mufassal also and that when any measure is proposed to be adopted for the benefit of Calcutta in this connection that ought to receive support from those representing the mufassal. Sir, 90 per cent. of the oil which is sold in the rural areas is manufactured within the precincts of Calcutta.

The Hon'ble Mr. BIJOY PRASAD SINGH ROY: Sir, I have already explained what steps have been taken by the Government to make the Food Adulteration Act effective and I do not think I have any new point to urge in reply to what has fallen from Maulvi Abdul Hamid Shah. There were 400 prosecutions last year on the complaints of

different municipalities and district boards. So the Act is working rather satisfactorily.

As regards the point which was put forward by Khan Bahadur Azizul Haque about the free analysis of food articles, I would point out that the Government laboratory charges only Rs. 2 when a sample comes from a local body and Rs. 4 when it comes from a private person as against the fees of Rs. 16 and Rs. 32 respectively charged by the Corporation of Calcutta. So I do not think the Government is unreasonable in this respect.

Khan Bahadur Maulvi AZIZUL HAQUE: I did not say so.

The Hon'ble Mr. BIJOY PRASAD SINGH ROY: I just mentioned this for the information of the House.

The motion of Maulvi Abdul Hamid Shah was then, by leave of the Council, withdrawn.

Haji BADI AHMED CHOWDHURY moved that the demand of Rs. 7,18,000 under the head "33A.—Public Health Establishment" be reduced by Rs. 10,000 (to raise a discussion on the work of Sanitary Inspectors which is practically nil).

He spoke in Bengali, the English translation of which is as follows:—

"Sir, Sanitary Inspectors have been appointed at every thana; but they merely distribute some quinine in one or two villages near their station. They are not provided with any other medicine, they do not give injections in cases of attacks of malaria, cholera, kala-azar, etc., nor do they perform any other work of public welfare. There is, besides, a district board doctor at every thana. These officers, too, are not supplied with medicines and so they cannot distribute medicines regularly. What is the use of maintaining two men, in this way, in idleness without giving them work? One man might be done away with, or if there must be two, let them live at two outlying parts of the thana and let them be supplied with medicines for injection. Considering the work that is being done by the Sanitary Inspectors we might do away with them.

I also draw the attention of the House and the Hon'ble Minister-in-charge to the paucity of the number of Moslems in the Public Health Department. There are only 3 Moslems among 44 officers. There is not a single Moslem District Health Officer. I hope Government will turn their attention to the matter and fairly treat the Moslems of Bengal according to their proportion in the population of the province."

Revd. B. A. NAG: I do not agree with Haji Badi Ahmed Chowdhury because it seems that in this Council some members are so obsessed with the idea of appointments for their own community that discussions

might be raised on all these motions from the first one to the 795th. There is a limit to patience, and the sooner our Muhammadan friends stop singing in that tune the better for them and for all communities. Particularly in these days when we are thinking of nationalism some of the minorities must make up their minds to say that we do not want communal representation.

The Hon'ble Mr. BIJOY PRASAD SINGH ROY: Sir, I appeal to the Revd. Mr. Nag that the less reference is made to this question the better.

Mr. PRESIDENT: You are quite right: I was just going to point this out to the speaker.

Revd. B. A. NAG: The next thing that I wanted to say is this: there has been a lot of criticism about Sanitary Inspectors. I should like to know how the elected members justify their position in the villages where they can easily go round and try to help the Sanitary Inspectors in doing their duty, and thus help their constituency.

Maulvi SYED MAJID BAKSH: Give them their travelling allowance.

11-45 a.m.

Revd. B. A. NAG: That is a great point with my friend.

In the villages there cannot be very many mustard oil shops.

If they go to two or three shops and say to the purchasers not to go to them because they only sell adulterated mustard oil I am sure that would be a strong corrective, rather than making a speech here, not only in that village but in villages all round. Let us try with the help of Sanitary Inspectors and Government Public Health officers to contribute our part in making Bengal more habitable than it is at present. I, therefore, oppose this motion.

Khan Bahadur Maulvi AZIZUL HAQUE: I am really sorry that my friend Haji Badi Ahmed Chowdhury has raised this question. We are fully conscious of the fact that the number of Muhammadan District Health Officers is very few and my friend should have realised that it is not possible to demand representation where we are not able to put forward the requisite number of candidates. Unfortunately Muhammadans have not taken so much to engineering and other lines and therefore he is not justified in complaining that a sufficient number of Muhammadans has not been appointed to the Public Health Department. I certainly think that it is due to the dearth of qualified Muhammadan candidates that

there are so few District Health Officers. On the other hand to my mind in Eastern Bengal some district boards have found it possible to appoint Muhammadans as District Health Officers and I do think that in spite of some of the remarks of my Muhammadan friends we have no legitimate complaint and I certainly oppose the motion.

Mr. C. W. GURNER: I should like to say a few words to let the House know what the position is in regard to these Sanitary Inspectors and those who exercise control over them, because there is no doubt that this force, this new force, in the Public Health Department in Bengal, is going to cost increasing amounts in the coming years and it will require more and more funds according to the needs of the District Boards. The Hon'ble Minister in charge of the Public Health Department has pointed out the work done by these Sanitary Inspectors. He has also stated that the Director of Public Health drew the attention of Government to their status and what he wanted Government to do was to define their status in the Local Self-Government Act so that these Sanitary Inspectors could carry out their functions on a statutory basis.

As regards their control, the House must realise that these Sanitary Inspectors work under the orders of the district boards and Government do not interfere with them. At present, Government pay only half of the cost of this staff as a grant. At the same time the Director of Public Health naturally takes an intelligent interest in them and their work. He also makes systematic inspection, unit by unit, in the rural health units under the various district boards.

The motion of Haji Badi Ahmed Chowdhury was then, by leave of the Council, withdrawn.

MUNINDRA DEB RAI MAHASAI: I beg to move that the demand of Rs. 2,50,000 under the head "33B.—Public Health—Grant to local bodies for improvement of rural water-supply" be reduced by Rs. 10 (to draw attention to the inadequacy of the provision).

At the outset I should like to thank the Ministry of Public Health most heartily for kindly paying Rs. 32,000 to my municipality for its water-works.

Sir, the object of this cut motion is to draw attention of the Public Health Department to the insufficient provision for water-supply in rural areas. The amount provided for water-supply in Bengal is hardly sufficient to cope with the needs of a single district. In the dry season the waters of many of our rivers and rivulets and tanks get dry and the people feel the want of drinking water very keenly. I have seen people coming with empty pitchers from long distances to fetch water. It became a precious commodity with them. Is it not the duty of a humana government to quench the thirst of its people?

Of course the Public Health Department is not idle; it is doing something, but not to the extent as we all desire. I hope better provision will be made in future for the supply of pure drinking water in the rural areas.

With these few words I commend my motion to the acceptance of the House.

The following motions were called but not moved:—

Babu SATYENDRA NATH ROY: "That the demand of Rs. 2,50,000 under the head '33B.—Grants for Public Health purposes —Grant to local bodies for improvement of rural water-supply' be reduced by Re. 1 (inadequacy of the amount)."

Maulvi HASSAN ALI: "That the demand of Rs. 3,53,802 under the head '33B.—Grants for Public Health purposes—Water Works Schemes' be reduced by Rs. 200 (inadequacy of grant)."

Maulvi NURAL ABSAR CHOUDHURY: I beg to move that the demand of Rs. 3,53,802 under the head "33B.—Grants for Public Health purposes—Grants-in-aid towards Water-works schemes" be reduced by Re. 1 (to urge the grant of a loan of Rs. 2,00,000 for the Chittagong District Board for supplying pure drinking water in rural areas).

Sir, it is too late in the day to dilate upon the supreme necessity of the State and for the matter of that the Local Self-Government Department to provide pure drinking water in the rural area which is the main stay of the province. The Government and the public have realised the importance and the Government has committed to a policy of supplementing the resources of the district boards by its substantial help. In pursuance of this policy the Ministry of Self-Government issued a circular to all the district boards inviting them to push the scheme of water-supply in their areas with loan from the Government under the conditions stated therein. Accordingly the District Board of Chittagong faced with the vexed problem of supply of drinking water in those areas where water is a scarcity, hastened to deliberate on it and after mature consideration of the circular and the local condition prevailing in that district applied for a loan of Rs. 50,000 in the first instance, although the applications accepting the conditions offered by the district board were too many response to which would require a loan of about a lakh. Since then applications have multiplied and I believe in the course of few months an addition of one lakh of rupees would be required even if all the valid applications are attended to. In this view of things knowing full well the condition of the locality and having had the opportunity to scrutinize the scheme prepared by the chairman of the district board with the help of the District Engineer, as a member of the district board, I was convinced of the necessity of provision of

Rs. 2 lakhs for the purpose. Since the time I gave notice of the motion there has been further development as a result of motion by the chairman of the said district board in this connection. I am sorry to learn that the Ministry of Local Self-Government has refused the loan applied for by the said district board without any reasonable excuse under grave misconception. The District Board of Chittagong and the Commissioner of Chittagong on one side have taken the tanks owned by private individuals exposed to the public and used by them without any restriction to the public sources of water-supply as referred to in that circular.

The office of the Ministry think they are not public sources of water-supply.

I do not know what the Government means by public sources of water-supply. The tanks selected by the District Board of Chittagong are tanks, to all intents and purposes, accessible to public and used by a reasonable number of people although ownership vests in private individuals. Now, according to the circular of the Government the District Board of Chittagong after great trouble and expense has selected the tanks according to their scheme and applied for loan.

In the hope of getting loan, it made its budget on that basis. Now the Government has refused loan on an inexplicable ground with the result that no work of water-supply for the last year and the present year has been done. The district board will be discredited if the Government turns down the proposal and the public will get opportunity of ridiculing the nation-building department of the Government. I gave notice of the motion for Rs. 2 lakhs and now I find the loan of Rs. 50,000 applied for has been refused. It has proved the old maxim "One applied for bread but the Government has given stone."

Mr. W. L. TRAVERS: I may be allowed to say a few words before this debate is brought to a close in regard to the provision of water-supply in the province. I have myself lived in the heart of the countryside for many years and I can say that gradually, slowly but certainly, many district boards in the province are improving the water-supply in the districts. Those who live in the country, can, if they desire, note the progress. Where you have an energetic chairman of the district board and enthusiastic workers on that board, as is the case in many districts in this province, there is undoubtedly a steady improvement. Rai Mahasai says that no attention has been given to the adequacy of the provision, and if by that he means that there is still a great deal to be done I am with him but if he means to criticise Government for having done nothing I do not agree with him. Government in this way during the last 10 years have done much to improve the water-supply in the province.

The Hon'ble Mr. BIJOY PRASAD SINGH ROY: Mr. Travers has said exactly what I wanted to say on the subject. Rai Mahasai wants to take away a portion of the grant because he considers that the grant is inadequate. As the country is wide its needs are too many; you have got to examine whether the Government have done and are doing all that is possible to do in the present financial position of the province.

12 noon.

This demand Rs. 2,50,000 for water-supply is to be distributed to the district boards. Over and above this there is the water-supply loan scheme. A portion of Rs. 2,50,000 will go towards the payment of interest by the district boards on the loan which they will take from Government for water-supply. A provision of Rs. 2,00,000 has been made in the budget for the loan scheme which will be given to the district boards for which they will pay interest at the rate of 3 per cent. As regards the Chittagong District Board my friend Maulvi Nural Absar Choudhury is not quite correct when he says that the proposal has been rejected. That is not a fact. The matter is under consideration and the Government has treated it with great sympathy. The proposal is that the money that is to be taken by the District Board of Chittagong as loan is to be spent on private tanks. Under provisions of the loan scheme the Government can not readily agree to a proposal like that unless they are fully satisfied as regards the terms and conditions. I can assure Maulvi Nural Absar Choudhury that the matter is still under the consideration of Government; it has not yet been refused and I hope to do something very soon to meet the wishes of the mover. I therefore oppose the motions.

The motions of Munindra Deb Rai Mahasai and Maulvi Nural Absar Choudhuri were then, by leave of the Council, withdrawn.

The following motions were called but not moved:—

Maulvi SYED JALALUDDIN HASHEMY: "That the demand of Rs. 29,04,000 under the head '33B.—Grants for Public Health purposes' be reduced by Rs. 100 (inadequacy of grants)."

Haji BADI AHMED CHOWDHURY: "That the demand of Rs. 29,04,000 under the head '33B.—Grants for Public Health purposes' be reduced by Re. 1 (scanty supply of money to union boards through district boards)."

Khan Bahadur Maulvi AZIZUL HAQUE: "That the demand of Rs. 1,09,000 under the head '33D.—Bacteriological laboratories' be reduced by Re. 1 (for free analysis of food articles)."

Khan Bahadur Maulvi AZIZUL HAQUE: "That the demand of Rs. 41,81,000 under the head '33.—Public Health' be reduced by Rs. 10 (to emphasise the need of enunciating Public Health Policy with special reference to publicity work, anti-malarial and kala-azar grants)."

Mr. SHANTI SHEKHARESWAR RAY: I beg to move that the demand of Rs. 29,04,000 under the head "33B.—Grants for Public Health purposes" be reduced by Rs. 100 (necessity of a pilgrim shed at Ramkeli in the district of Malda).

I feel full confidence in the Hon'ble Minister for Public Health and felt great hesitation in bringing forward this grievance which is not a new one but which has been felt for years and years. I fear that under the present administration the Hindus of Bengal are in for very bad times. Some of the influential members of my constituency, at whose instance I have brought forward this motion, think the same way, but I hope the House will consider the matter on its own merits. The position is this. Ramkeli is a small place in the district of Malda but it is a Hindu place of pilgrimage of more than local interest. The Vaishnavas from all parts of the province go there on certain days and a large number of people gather there. Among them there are Hindus as well as Mussalmans. Some public-spirited gentlemen of the locality and also others who took an interest in the matter took up the question of improving the place and started a society known as Ramkeli Seva Samity. They have done a good deal of good work; they improved certain tanks in the place and sometime ago they approached Government through private channels for the provision of a shed to accommodate people who go there during the *mêlas*. This proposal was considered with sympathy by the local authorities and was approved of by Government. From the correspondence that has been placed at my disposal I find that Government agreed to help the Samity with a part of the provision for constructing the shed on condition that a part of it was realised by public subscription. The local public as well as the district board contributed towards the construction of the shed and part of the work has been done but the complete construction is held back for want of funds. The Samity has approached——

[Here the time-limit under the head "33.—Public Health" having been reached, the member resumed his seat.]

The motion of Mr. Shanti Shekhareswar Ray was then put and lost.

The motion that a sum of Rs. 41,81,000 be granted for expenditure under the head "33.—Public Health" was then put and agreed to.

The following motions under the head "33.—Public Health" were not called owing to the expiry of the time-limit:—

Khan Bahadur Maulvi AZIZUL HAQUE: "That the demand of Rs. 3,50,000 under the head '33C.—Expenses in connection with

epidemic diseases' be reduced by Re. 1 (to emphasise the need of fixed grants for a fixed period of kala-azar works)."

Maulvi HASSAN ALI: "That the demand of Rs. 3,50,000 under the head '33C.—Expenses in connection with epidemic diseases' be reduced by Rs. 200 (inadequacy of grant)."

Khan Sahib Maulvi BAZLUL HUQ: "That the demand of Rs. 3,50,000 under the head '33C.—Expenses in connection with epidemic disease' be reduced by Re. 1 (to show failure of the Department to combat diseases like the cholera, small-pox, malaria and kala-azar)."

Haji BADI AHMED CHOWDHURY: "That the demand of Rs. 3,50,000 under the head '33C.—Expenses in connection with epidemic diseases' be reduced by Re. 1 (to raise a discussion on the insufficient supply of quinine to prevent malaria and inadequate measures taken for kala-azar injections)."

MUNINDRA DEB RAI MAHASAI: "That the demand of Rs. 41,81,000 under the head '33.—Public Health' be reduced by Rs. 101 (on the ground that the sum is quite insufficient for improving public health in Bengal and that the major portion of the sum is being spent on the department and for the salary of highly-paid officers and that it has failed to improve the health of rural Bengal and also to draw attention to the dust nuisance which affected the health of urban areas caused mainly by motor vehicles' traffic which are not taxed under the law)."

Mr. SYAMAPROSAD MOOKERJEE: "That the demand of Rs. 41,81,000 under the head '33.—Public Health' be reduced by Rs. 100 (desirability of the Department of Public Health to take suitable action to cope with the problem of health of the students of Bengal)."

MUNINDRA DEB RAI MAHASAI: "That the demand of Rs. 41,81,000 under the head '33.—Public Health' be reduced by Rs. 5 (to draw attention to the fact that total death rates due to malaria, cholera, small-pox, kala-azar, tuberculosis and other epidemic diseases are far higher than birth rates in the district of Hooghly)."

Kazi EMDADUL HOQUE: "That the demand of Rs. 41,81,000 under the head '33.—Public Health' be reduced by Re. 1 (indifferent policy of Government)."

Dr. NARESH CHANDRA SEN GUPTA: "That the demand of Rs. 41,81,000 under the head '33.—Public Health' be reduced by Re. 1 (policy of Minister in reducing expenditure on public health)."

Khan Sahib Maulvi BAZLUL HUQ: "That the demand of Rs. 41,81,000 under the head '33.—Public Health' be reduced by Re. 1 (to call attention to the fact that real steps have not yet been taken to eradicate fell-disease in rural areas and that the amount spent for medicinal purpose is too small in comparison with the amount spent for maintaining officers)."

Babu SATYA KINKAR SAHANA: "That the demand of Rs. 41,81,000 under the head '33.—Public Health' be reduced by Re. 1 (inequitous expenditure and neglect of some of the most malarious districts of West Bengal)."

Khan Sahib Maulvi BAZLUL HUQ: "That the demand of Rs. 41,81,000 under the head '33.—Public Health' be reduced by Re. 1 (to discuss about inadequate fund and ineffective steps for rural water-supply)."

MUNINDRA DEB RAI MAHASAI: "That the demand of Rs. 41,81,000 under the head '33.—Public Health' be reduced by Re. 1 (to discuss a loan policy on the lines of Mr. C. R. Das's scheme)."

34.—Agriculture.

The Hon'ble Khan Bahadur K. C. M. FAROQUI: On the recommendation of His Excellency the Governor, I beg to move that a sum of Rs. 24,82,000 be granted for expenditure under the head "34.—Agriculture."

Sir, as the House is aware, this budget provides for the Agriculture Department including botanical and other public gardens, the Civil Veterinary Department, the Bengal Veterinary College and the Co-operative Department.

With reference to the criticisms which have sometimes been made in regard to the policy and working of these departments, I would explain that the present time is not favourable for the initiation of a new policy of expansion which would necessarily involve additional

expenditure. A large number of schemes already approved are awaiting provision of funds. In spite of these depressing conditions, the Ministry of Agriculture has not been unmindful of the necessity for initiating schemes of importance. The inauguration of the Bengal Agricultural Research Committee in 1930, in accordance with the recommendations of the Royal Commission on Agriculture offered up a vista for intensive research work with the facilities offered by the Imperial Council of Agricultural Research. We have not been slow to take full advantage of the facilities thus offered. We formulated a number of schemes and we have succeeded in obtaining the approval of the Research Council to certain schemes which would involve the grant by the Council to this province of Rs. 3,28,247. These schemes are—

(*i*) the foundation of an Agricultural Research Fellowship at Dacca University;

(*ii*) the undertaking of research into properties of colloid soil constituents by Professor J. N. Mukherjea of Calcutta University;

(*iii*) the undertaking of research into agricultural statistics by Professor P. C. Mahalanobis of Calcutta University;

(*iv*) experiments on cane-crushing and *gur*-boiling plant;

(*v*) a scheme for establishing a sugar-testing station in Bengal;

(*vi*) a scheme for the appointment of a physical assistant to study soil problems under the Agricultural Chemist, Dacca;

(*vii*) a scheme for completion of rice work in West Bengal and investigation into improvement of Patnai paddy;

(*viii*) a scheme for investigation into animal nutrition problems; and

(*ix*) a scheme for research into protection of buffaloes and cattle from certain common diseases.

In the Veterinary Department, Government have undertaken the supply of sera and vaccines up to a limit of Rs. 70,000 per annum to the local bodies for combating outbreaks of contagious diseases. Further, even in these days of financial stringency, Government have not been niggardly in assisting local bodies in the matter of appointment of Veterinary Assistant Surgeons as well as establishment of hospitals and dispensaries.

In the Co-operative Department, in spite of the present financial stringency, increased provision has been made in the coming year's estimate as compared with the revised estimate for this year, and the increase is due mainly to the provision made for the much needed strengthening of the staff.

With these words, Sir, I commend my motion to the acceptance of the House.

The following motion was called but not moved:—

Babu SATISH CHANDRA RAY CHOWDHURY: "That the demand of Rs. 4,16,200 under the head '34A.—Agriculture—Other Supervising Staff' be reduced by Re. 1 (composition of staff, nature of recruitment and reduction as also the allowances and honoraria)."

MUNINDRA DEB RAI MAHASAI: I beg to move that the demand of Rs. 2,13,000 under the head "34A.—Agriculture—Experimental Farms" be reduced by Rs. 10 (to draw attention to the insignificance of the actual service rendered by these farms and to urge the necessity of cattle-breeding and dairy farms in Bengal specially one in Hooghly).

Our country is purely an agricultural one, but agriculture which was the mainstay of the people has been relegated to the illiterate people. The middle class *bhadralok* thought it derogatory to associate themselves with agriculture less they be styled *chassas* by their advanced young friends. For want of proper care and supervision, cattle has deteriorated, and the soil entrusted entirely to the care of the ignorant people, refuses to produce an adequate supply of foodstuff and stagnation in economic conditions is the inevitable result. Sir, food is energy. If we are to survive, more and better foodstuffs have to be raised and cattle is the chief means whereby to grow the same. To do this, we shall have to protect and improve the cattle wealth of our country. Milk is the elixir of life. It is the staple diet of infants and the young, and is equally useful and nourishing to the old and infirm. The infant mortality of this country is the highest of all the civilised countries of the world which is undoubtedly due to want of pure milk and we can restrain it to a great extent by the improvement of cattle as has been done by Paris, London, Edinburgh, Glasgow, Aberdeen, New York, Chicago and Philadelphia.

There are fifty millions of cows in India for which we require at least one million good bulls to breed from but in the whole of India we have no such bulls except a few select ones in the country. We breed these from scrubs and the result is gradual deterioration of our cattle; the average daily yield of milk per cow in India is at present only one quart or 2 lbs. while the daily yield of milk per cow is 20 lbs. in England and Denmark, such is also the case with the United States of America.

I should urge the Agricultural Department not to rest content with merely opening farms here and there and visiting private farms. Their duties and responsibilities are far greater than these. In the interests of decaying agriculture and improvement of the decaying cattle wealth of the Presidency, it is incumbent on the department to

come forward with practical schemes to organise along with agriculture dairy farming which is one of the crying needs of the hour. It is a paying proposition in other parts of the world. The dairy products of New Zealand and Denmark are having a ready market throughout the world. I do not know why Bengal should lag behind. The little country of Denmark offers an outstanding example of what co-operative dairy farming can mean in the life of a people. Only seventy-five years ago, Denmark was practically a bankrupt nation far worse than Bengal. The country's natural resources was small, almost half of which consisted of poor agricultural land that had been worn out through one crop system of farming. There was very little manufacturing. The other principal resource was fishing—starting with such conditions, Denmark has made marvellous progress during this short period. The monarchy has been changed into a constitutional form of Government, and a national system of co-operation in production, marketing and Governmental affairs has become the envy and model of the world. People being the nation's chief asset, their development naturally resulted in economic advancement. Will the Agricultural Department take a cue from it, enlarge its outlook and help in the economic development of the nation?

With these few words, I commend my motion to the acceptance of the House.

12-15 p.m.

Khan Bahadur Maulvi AZIZUL HAQUE: I beg to move that the demand of Rs. 2,13,000 under the head "34A.—Agriculture—Experimental Farms" be reduced by Re. 1 (to discuss the working of farms and to draw attention to the failure to train up young men in farm works).

My object in moving this motion is set forth in my amendment. In this connection I want to draw the attention of the Hon'ble Minister to certain facts. Last year a society for the relief of unemployment was started in the district of Nadia. I saw the District Magistrate of Nadia in this connection and we decided to persuade some of the landlords of our district to give up certain lands where some sort of practical training could be given to our young men in farm work. It must be said to the credit of the landlords that they readily assented to it. Thereafter we approached the Agricultural Department and we asked them whether they could make arrangement for training our young men in farm work. There is a farm at Krishnagar—a very big expensive farm which has been in existence since the pre-British days. This farm was originally in the hands of the municipality but in the time of Mr. Graham it was handed over to the Department of Agriculture in order that it may be improved and put on a firm basis.

The Agricultural Department has put in an officer for the development of the farm and I am told that Rs. 10,000 to Rs. 15,000 has been sunk in that farm. But as regards the question of training young men we find that no attempt has been made through this farm. On our invitation Mr. Finlow came to Krishnagar and as a result of conference between us he said that he would try and see about the training of our young men. Sir, that was before the time of the Budget discussion. Three or four days past and the District Magistrate received a letter from Mr. Finlow expressing the inability of the department to do anything in the matter. I am told that under the present system, the Government gives a certain number of stipends to some students to learn work there. We are not particularly anxious for the stipends. We are ready to provide the money and yet we got this letter from the Director of Agriculture. The District Magistrate with non-official support was determined whether some young men could not be trained in farm work. I am prepared to agree with the Government that it is not possible to give a grant now, but I think they ought to see that some arrangements are made for the training of these young men. These young men have got nothing to do and they naturally, for want of any work, are getting themselves mixed up with political agitation. But if this training could be given to them it will solve the unemployment problem. This is the situation. It may be said that the Director of Agriculture could not persuade the Government. When he discussed the matter with the committee, the position was this—whether Government were prepared to help us in any way. We did not ask for money and yet the Director sent that letter to the District Magistrate. Sir, a great opportunity has been lost and I want the Hon'ble Minister to remind the Hon'ble the Finance Member that so many opportunities are being lost in this way and I think the country has got to such a position that hundreds of young men joining political agitation only for want of anything to do. We must find employment for these young men and give them some practical training for agricultural work. This I hope will go a long way to the solution of the problem.

As Maulvi Abul Kasem has said laboratory training is not everything and if the officials and non-officials combined it would be possible to give our young men practical training in agricultural work. A little co-operation on the part of Government is all that is needed. I hope the Hon'ble Minister will see that Government will give non-official agencies some help in the matter.

Mr. W. L. TRAVERS: Sir, I am against the motion moved by Khan Bahadur Azizul Haque. If there are grounds for his complaint, I feel sure that it is due to the inadequacy of funds, and not to any lack of enthusiasm from Mr. Finlow and his staff, who are always ready to help.

Referring to the farms, their usefulness can be much increased by propaganda. If everyone who is interested in a district will tell the raiyats, and advise them to go to see the demonstration, then improved crops will spread more quickly. As it is, these improvements spread slowly from the centre which is the farm. At Mainaguri, which is a new farm, the spread all around has not gone very far. But at Rangpur, which has been established much longer, the improvement has spread to a much greater distance.

The Hon'ble Khan Bahadur K. C. M. FAROQUI: Sir, the agricultural farms established in districts are used both for experimental and demonstration purposes. In these farms, seeds evolved at research stations, methods of cultivation and manuring which have been found effective are tested under the particular local conditions. New experiments are also conducted, and plant-breeding of local varieties is also carried out on these farms. Portions of these farms are kept strictly separate and run on commercial lines as a business proposition to demonstrate that farming is a paying concern. A system of costing of these commercial areas has been recently introduced.

As an instance of the effect produced by the working of Government farms as a paying proposition, I would mention that there are now in existence as many as 140 private farms in the province which ask for and obtain departmental advice, grow crops recommended by the department and use tools and implements suggested by the department.

The Chinsurah Farm is the site at which work of great importance, so far as West Bengal is concerned, has been done on paddy, jute, sugar-cane, fodder crops, etc. Moreover, in the near future, Chinsurah will be the centre for the investigation financed by the Imperial Council of Agricultural Research into Patnai paddy. Much of what has been said in regard to the Chinsurah Farm applies to farms at Suri and Bankura which have been in existence only a few years now, but where several important problems connected with the agriculture of the undulating border-line country have already been solved. For instance, improved sugar-cane has been introduced on a wide scale; new paddy varieties have been selected or bred and then given over to the cultivator. Pulses and fodder crops have been introduced as also the making of silage and artificial manure.

As to cattle-breeding, there are at present two farms, *viz.*, at Dacca and Rangpur, where experiments are going on for the evolution of dual purpose animals. A scheme has also been formulated for the improvement of cattle in Bengal by the gradual supply of good stud bulls all over the province through co-operative cattle-breeding societies and by granting premiums to those who maintain stud bulls supplied by the department. The progress of the scheme, however, has been hampered owing to lack of funds. We recognise that it would

be desirable to establish a cattle-farming in West Bengal, a question which is already under our consideration and which we propose to take up when funds become available.

As to dairy farms, I would point out that it is the policy of Government not to take up demonstration of dairying from a commercial point of view, but to meet the general demand for instruction in dairying on modern lines. A scheme for imparting such training at the Dacca Farm has been administratively approved. But, here, as in the case of so many other schemes, lack of funds prevents any immediate action.

As to the Krishnagar Farm, there was doubtless an intention to take up a scheme for practical training of young men in farm work as stated by my friend Khan Bahadur Maulvi Azizul Haque. But owing to lack of funds it has not yet been possible to bring up the farm to equip the farm fully and specially to provide it with irrigation facilities. As soon as the farm is in a sufficiently complete condition the question will be further examined. But so far as I can say at present, there is likely to be some difficulty in finding culturable land for these young men after they have completed their training. I am told that there is little or no waste land of good quality nor any newly-formed land available in the district.

In this connection, I would mention that the training of young men in farm work has already been taken up at Faridpur Farm. According to the scheme which is now in operation there, preliminary training is imparted at the farm in practical agriculture and in allied subjects for a year to a batch of students who also work as farm labourers and are paid wages at Rs. 12 a month each.

The successful students are then given 15 bighas of land and a loan of Rs. 200 each. A number of students have already settled as cultivators in this way, and the scheme has been working well so far. At the Agricultural School at Dacca, training in both theoretical and practical agriculture is imparted with the object of turning out practical agriculturists.

A scheme is also now under consideration of this department under which it is proposed to establish an agricultural school for West Bengal at Chinsurah with the help of a private donation.

It will be evident from what I have said that the department has taken up the training of young men in farm work with a view to encouraging our young men to take to agricultural pursuits. The aim of the scheme of agricultural education in high English and middle English schools which has been initiated with the assistance of the department is also to give an agricultural bias to secondary education with this object in view.

12-30 p.m.

The motions of Munindra Deb Rai Mahasai and Khan Bahadur Maulvi Azizul Haque were then, by leave of the Council, withdrawn.

Rai Bahadur KAMINI KUMAR DAS: I beg to move that the demand of Rs. 11,05,000 under the head "34A.—Agriculture" be reduced by Rs. 100 (policy and administration of the Department).

Sir, Bengal is an agricultural province. We live on different kinds of agriculture and we are grateful to Government for giving us real and imaginary aid in the improvement of the Department of Agriculture and Co-operative Department. My submission to you, Sir, will be mostly confined to Chittagong. The way in which the Agricultural Department tackles the agricultural problems of the province is not at all satisfactory. It is more than eight years that a disease is creating havoc in the betel leaf plantations of the district which I have the honour to represent. But the Agricultural Department is quite callous to this important problem of how to eradicate the disease. You will be horrified to hear to what extent this disease is causing damage annually. There are three important centres of betel plantations in the district of Chittagong. I shall call them groups. The first is Satkania-Banskhali group and the second is Patya group and the third is Mirserai group. In the Satkania-Banskhali group there are two big *hats* which meet twice a week and every week there used to be transaction worth Rs. 2,000 in betel leaves before the fell disease came over the plantations. Hence the figure comes to a monthly transaction of Rs. 8,000 and a yearly figure of Rs. 96,000 in one group only. In the Patya group, the transaction in the local *hats* would be up to Rs. 48,000 annually and in the Mirserai group it would also be not less than Rs. 96,000. Hence the total amount of transaction all over the district would be about Rs. 2,40,000 a year.

Now, after the disease got into the area, the total transaction of the locally produced betel leaves in all these three groups will not exceed Rs. 8,000 to Rs. 9,000. Sir, we therefore find that there is a loss of about Rs. 2 lakhs a year from betel leaves. In these eight years, the total loss would, therefore, be about Rs. 16,00,000. This is no doubt a colossal waste of national wealth. We hear of Agricultural Research Council, Imperial Agricultural Research Institute and host of others and an annual expenditure of this department would be Rs. 1,10,500 more than a lakh. Alas! these are of no use to us if they cannot prevent this disease. I do not really know if they at all attempted to control the disease. I think, Sir, it will not be out of place to mention here the nature of the disease. This I do simply to draw your kind attention that the disease is not of a very peculiar nature and can be eradicated by the Agricultural Department, if so minded. When the betel leaf plants become generally one or two years old, the disease attacks the

plants at the root and manifests itself in some dark spot and the whole plant dies in a day or two. Although I do not profess to be an expert, I presume this is a fungus disease which ought to have been controlled by the department with the help of the Economic Botanist of Bengal, if not, by the Imperial Agricultural Research Institute, but nothing has been done up to now. For the purpose of giving opportunity to cultivators to learn and improve their cultivation, there should be a model agricultural farm, at least one in every thana, but, Sir, you will be surprised to hear that there is none in Chittagong. There should be demonstrators who would go to the interior and impart knowledge or induce the cultivators to come and see the improved type of agriculture in their model agricultural farms. I believe there is only one demonstrator in each district of the Chittagong division and there is one gentleman as head of the department with a high salary with head-quarters in the beautiful town of Chittagong, who seldom goes out to the interior to be in touch with the cultivators. Sir, the Government should give us more demonstrators giving them better opportunities to help the department and the cultivators for whom they have to work and if this cannot be done in any other way, I would advise Government to do away with the agricultural officer of the division and out of the saving to have more demonstrators.

Mr. PRESIDENT: I propose to have one discussion on motions Nos. 721 to 725, 728, 729, 731, 732.

The following motions were called but not moved:—

Maulvi TAMIZUDDIN KHAN: "That the demand of Rs. 24,82,000 under the head '34.—Agriculture' be reduced by Rs. 1,000 (Agricultural policy of Government and waste of public money in this department)."

Babu JITENDRALAL BANNERJEE: "That the demand of Rs. 24,82,000 under the head '34.—Agriculture' be reduced by Rs. 101 (to raise a discussion about the policy and administration of the department)."

Mr. P. BANERJI: "That the demand of Rs. 24,82,000 under the head '34.—Agriculture' be reduced by Rs. 101 (to raise a discussion about the policy and administration of the department)."

MUNINDRA DEB RAI MAHASAI: "That the demand of Rs. 24,82,000 under the head '34.—Agriculture' be reduced by Rs. 101 (for the failure of the Agricultural Department to tackle the problems of agricultural and rural welfare in improving the material and economic condition of the people, to urge the necessity of reviewing the working and the policy of the Agricultural Department with special reference to the improvement of cattle, maintenance of stud-bulls, pasturage, etc., emphasising the need of an Agricultural University in the province)."

Maulvi SYED JALALUDDIN HASHEMY: "That the demand of Rs. 24,82,000 under the head '34.—Agriculture' be reduced by Rs. 100 (general policy)."

Khan Bahadur Maulvi AZIZUL HAQUE: "That the demand of Rs. 24,82,000 under the head '34.—Agriculture' be reduced by Rs. 100 for the failure of the Agricultural Department to improve the material and economic condition of the people, to solve the problem of marketing, to train up young men in such works as may solve the problem of unemployment and to review the working of the department)."

Maulvi HASSAN ALI: I beg to move that the demand of Rs. 24,82,000 under the head "34.—Agriculture" be reduced by Rs. 100 (failure to tackle agricultural problems, *e.g.*, teaching in scientific agriculture and controlling of commodity prices).

We find from the Government reports that Bengal has got 15 crores of bighas of arable lands, but of this only three crores of acres, *i.e.*, nine crores of bighas of lands are under actual cultivation. This shows that six crores of bighas are still lying fallow without cultivation. We have got nine crores of bighas arable and four crores of cultivators and for them, for agriculture proper, I mean, Rs. 11 lakhs has been estimated to be the expenditure by the Government of Bengal and most portion of the same is expended on the salaries and travelling allowances of the big officers like directors, assistant directors, curators, superintendents, chemists, druggists, botanists, experts and engineers and others of zoological, Sibpur, this or that gardens and experimental farms which I should like to name as pleasure-trip resorts of these officials. A large portion of the sum also is expended on the so-called costly commissions and committees. If these luxuries of the department be even taken into account as costs for agriculture proper, the annual expense per head of the cultivators, by the Government, is only less than half a pice. Such is the policy of the Government in its Agricultural Department we find from the budget itself.

Sir, ours is an agricultural country out and out. Everything depends upon the agriculturists and their agricultural productions. But the Government during these two hundred years of British rule have only played with the agriculture and the agriculturists. They have finished their duty by opening up various avenues for exploitation of the poor cultivators and their gold mines, namely, the agricultural fields of Bengal.

Sir, I wish no longer to expatiate on the importance of the agriculture of Bengal for everybody of us knows that most of us here are fed and clothed and maintained in comfort and even luxury by the agricultural bounty alone of our lands. And, Sir, our Government have finished their duty towards the cultivators of Bengal by establishing here and there one or two experimental farms and gardens.

Sir, what I was going to say is this. The Government of Bengal have deliberately failed to fulfil their duty towards the agricultural problems of Bengal.

Not a school, not anything of that sort, has yet been established by Government to impart education in scientific modern agriculture to the children of the soil of Bengal. Not to speak of that.

What steps, what measures, the Government have taken and are going to adopt for ameliorating the condition of the cultivators of Bengal, by helping them in production of their crops and by controlling the prices of their crops? Let us turn to jute. I need not say much about what this golden fibre mean. Jute is writ large on the portals of every mansion in the city and every bank and business house in Clive Street. Provincial and central finance find in jute one of their strongest foundations. The average value of jute trade would amount to Rs. 100 crores if the cultivators sell even at an uneconomic price of Rs. 8 per maund. And of this sum, the cultivators would at least get Rs. 30 crores.

But what the Government have done up to now to ensure to the cultivators even this uneconomic price of Rs. 8 per maund in order to save them from the present economic havoc in the country of which I need not speak much in the House because the matter has been discussed threadbare in this floor more than once before?

Has Government taken any steps whatsoever to control the over-production of the commodity? Has it ever tried to take any measures so that this terrible fall in the price of jute might have been checked? With regard to jute, Sir, the only business of the Government has been an abetting of unholy conspiracy of the foreign traders and the middle men against the cultivating classes. Jute forecasts are made, but to whose advantage? Are they to the benefit of people at all? No, jute forecasts are published in the *Calcutta Gazette* in English language which is not within the reach of the illiterate cultivators. Jute forecasts help only the foreign consumers in deluding the illiterate producers to undersell their commodity.

Next, Sir, as to researches of agricultural officers and experts. The results of these researches are embodied in learned brochures which, if help anybody, help these officials themselves and not the poor illiterate cultivators. So, Sir, I hold that the Agricultural Department has failed to tackle the real problems of the country. With these few observations, I commend my motion to the House for acceptance.

12-45 p.m.

Kazi EMDADUL HOQUE: I beg to move that the demand of Rs. 24,82,000 under the head "34.—Agriculture" be reduced by Re. 1 (policy pursued by Government).

Sir, the Agriculture Department is supposed to be run for the benefit of the agriculturists, but I do not know how far the agriculturists are benefited by the activities of the department. The chief officers of the Agriculture Department sit tight at their headquarters. Sir, their number is very few, and it is not possible for them to go to the interior and to get into touch with the agriculturists themselves. The only persons of the department that come into touch with the agriculturists are the demonstrators, but their number is very limited. There is hardly one demonstrator for one subdivision. The activities of these demonstrators are very much limited. They cannot go beyond their jurisdiction of five miles of their headquarters. If they are put in a subdivision, then they cannot go beyond five miles of their headquarters. The people outside do not know that there is such a department as Agriculture Department for giving them assistance. How can the people get any information or help if they do not come across anybody from the Agriculture Department? Even the demonstrators, who are expected to go out to the people in order to demonstrate their policy, do not go beyond five miles of their headquarters. Within the five miles, they go round and hold some conversation with the cultivators about sample of paddy and manure, and so what benefit can we expect from this department? It is often found that these demonstrators cannot supply the best manure and the best sort of seedlings when asked for, because they have to make a requisition and send their indent for the supply of these articles. This is the way in which these demonstrators work. So, if the Government wants to do any good to the agriculturists, this is not the way to do the thing. The department runs certain farms which are working at a loss. Do they want the agriculturists to follow their policy? In that case they will have to do that at their own cost. So, if the department really mean to do any good to the agriculturists, they should appoint more demonstrators, so that these officers might co-operate with the villagers and demonstrate their policy in order that people may come into touch with them and know what sort of manure and what sort of best seedling should be sown and thereby make improvements in their own fields.

The following motions were called but not moved:—

Babu SATYA KINKAR SAHANA: "That the demand of Rs. 24,82,000 under the head '34.—Agriculture' be reduced by Re. 1 (to criticise the general policy)."

Mr. SARAT CHANDRA BAL: "That the demand of Rs. 24,82,000 under the head '34.—Agriculture' be reduced by Re. 1 (policy with reference to raiyats)."

Maulvi ABDUL HAMID SHAH: "That the demand of Rs. 24,82,000 under the head '34.—Agriculture' be reduced by Re. 1 (policy of Government with reference to the ordinary cultivators of rural areas)."

Khan Bahadur Maulvi AZIZUL HAQUE: Sir, I must say that to-day's discussion has left me under the impression that most of the members do not realise the important aspects of the activities which should be connected with the work of the Agriculture Department. Take the case of jute alone. You know, Sir, that I was the first person to raise my voice against the present policy in regard to jute cultivation, but at the same time I must not forget the fact that within the last ten or fifteen years a large amount of money has found its way into the hands of the tenants. If you consult the figures of the last few years, you will find that every year a large amount of money has gone into the pockets of the cultivators from jute. The price of jute ranged between Rs. 10 and Rs. 20 and sometimes it reached the fabulous sum of Rs. 25 or Rs. 26 per maund. We admit that the money goes to the cultivators.

I know from my own experience about seven or eight years back that the Agriculture Department were selling seedlings of sugarcane and potato seeds and the cultivation of these crops took up a very large acreage. We cannot deny that the Agriculture Department has done a certain amount of good work. I fully agree with Mr. Travers that if the department is provided with adequate funds, they can certainly do quite good work.

Kazi Emdadul Hoque spoke about the demonstrators. If he had known the true facts, he would have found that there is no restriction about the touring of these demonstrators. These demonstrators are not very educated and they are not very scrupulous as regards travelling allowance, but it is not a fact that they are not allowed to go beyond five miles of their headquarters. Government year after year is reducing the grant for travelling allowance. I know it is a fact that officers of the Agriculture Department, who tour in one year, have their travelling allowance held up till the next year for insufficiency of funds. You cannot possibly expect good work from the officers unless you place a certain amount of money at their disposal.

Sir, I went to Rangpur some time ago and I must say to the credit of the department that they have introduced improved methods of cultivating tobacco and the tobacco leaves produced there are of a very high order. I am sure these tobacco leaves will have a good sale in the market. I, therefore, do not deny that the activities of the Agriculture Department have led to beneficial results.

But, Sir, while admitting all this, I must say that the department must give attention to another aspect of the administration. I mean the question of marketing. It is an important concern of the department to bring the producer and the consumer together. It is a great problem

and it can be tackled by following a marketing principle by which the cultivators will get better rates for their produce and by opening markets where there is none. The Australian producers are trying to dump the market with Australian butter. If Government takes up the matter in earnest, it will not be impossible for it to secure a better production. Take the case of poultry, a large number of which comes from my district. You will be surprised to hear that eggs are sold in Calcutta at two annas a pair, but the producer does not get more than one pice. Government ought to take some steps by which it will be possible for the actual grower to get the full value of his things.

Sir, in my view, the question of unemployment is connected to a great extent with the Agriculture Department, although I must say that its solution does not lie with the Agriculture Department alone.

As regards jute forecast and the jute policy, I have my own impressions. I am informed that the jute forecast has always been less than the actual production. If this is so, I have personally no complaint, because in that case it will have the effect of raising the market. At the same time, we feel that Government should take some steps to keep the cultivators informed as to the true demand of the market not only in India but outside India as well. The demand of jute is likely to be restricted this year owing to the trade depression and the necessity of a restricted cultivation should be impressed upon the cultivators. Then, Sir, there is another factor. Supposing that some sort of competition is rising in other countries. The cultivators should be apprised of this—that another market is rising and that they should try to improve their production.

Sir, I refrain from speaking on agricultural credits. I hope the Agriculture Department will take up this work. As a matter of fact, I do consider that the department do not give sufficient attention to this work, which has an important bearing on the administration of the department.

Mr. W. L. TRAVERS: Sir, I have been very pleased to-day to hear the speeches that have been made this afternoon and to see so many motions on the paper on this subject, because, I think, this proves that we have in this Council more members interested in agriculture than in the past. I myself am an agriculturist and year after year I have been trying to impress on all those who are interested in agriculture the necessity of helping the cultivators to produce better crops and the only way to do it is to assist Government in bringing about a state of prosperity in the country, so that when our finances are in a better condition, we can get more money for this most important department.

Rai Bahadur Kamini Kumar Das, Khan Bahadur Azizul Haque and Maulvi Hassan Ali bring forward points where improvement is most

desirable. All of them inveigh against Government, but the number of research officers is but six and it is impossible for them to do more than they are now doing. What is wanted is development, a large increase of the staff, and money to enable them to expand. The field of work is vast. Much has been done, but very much more can be done, as the Hon'ble Minister has himself admitted.

There is the improvement, the further improvement of paddy seed. There is jute, with the extension of the plant which gives good quality fibre. There is sugarcane, the demonstration and expansion of the improved cane. And work in many other directions.

At the last meeting of the Agricultural Committee I proposed a resolution which I hope may have the support of the Council. My resolution was this. When there is money, Rs. 2 lakhs more should be devoted for each year for five years, that is, Rs. 2 lakhs extra the first year, Rs. 4 lakhs the second year, and Rs. 10 lakhs the fifth year. But the scheme requires elaboration and with the interest that the Council is now taking we might form a Bengal Legislative Council Agricultural Association for that object.

Mr. NARENDRA KUMAR BASU: I rise to support the motion not on the ground that I have got any adverse criticisms to make about the working of this department but because I want to join my voice with that of the last speaker who asked for the grant of more money to this department. Sir, if you will kindly look at the budget figures, you will see that the budget figures for this department proper for the last year were Rs. 13,62,000, but the revised figures were cut down to Rs. 12,93,000, because our Minister was pleased to surrender about Rs. 75,000 out of this small grant for other purposes. You will be surprised to see, Sir, that the budget presented this year is for Rs. 11 lakhs and odd, so that whereas Mr. Travers has been asking for Rs. 2 lakhs more every year, it has actually been reduced by about Rs. 2,57,000 from what it was last year! This is the way in which our Agriculture Minister is discharging his duty towards the agricultural problem of this country. I submit that it is hopeless to expect any improvement in this department. I think everybody will agree with me that the Department of Agriculture is fraught with the greatest possibility of benefit to the people, but if the Minister continues to place even his small funds at the disposal of other departments and if he continues to cut down the demand for his budget, the Agriculture Department will cease to exist.

Dr. NARESH CHANDRA SEN GUPTA: I was surprised to find Khan Bahadur Azizul Haque as an apologist of the Agriculture Department; for he has criticised those who have criticised the

Agriculture Department this year for its failure to formulate a jute policy. But Khan Bahadur Azizul Haque himself pointed out last year how the Agriculture Department was responsible for bringing about conditions which have spelt disaster to the agriculturists this year. No one denies that the Agriculture Department was doing some good work so far as the research work for the improvement of crops was concerned. But the fault that we find with the Agriculture Department is not so far as its scientific work goes but so far as its economic work goes. I think Mr. Travers drew attention to the fact last year that what the Agriculture Department wanted was an agricultural economist, that the problem of agriculture in Bengal is less a problem of scientific research than a problem of economic organisation. And it is from that point of view that the Agriculture Department has been found singularly lacking. No attempt has been made in the whole history of the Agriculture Department to produce an economic organisation for increasing or organising the production of agricultural commodities for the purpose of getting the utmost benefit for the agriculturists. This happy-go-lucky fashion in which the products are grown regardless of conditions of the market except when a great disaster comes on is going to ruin the country.

Then the Khan Bahadur has also withdrawn his complaint with regard to the jute forecast. I have already said in this Council that this jute forecast never did any good to the agriculturists and will never do any good. The general impression is that the jute forecast is greatly in excess of the actual production. If that is so, it is in no small measure responsible for the slump in prices. It is also a fact, as Khan Bahadur Azizul Haque has pointed out, that in previous years the jute forecast was very much short of the actual production. That too does no benefit to the cultivators; it gives advance notice to the buyers of what they have to expect and they buy jute before the market goes up. The agriculturists stand to lose either way by inaccurate forecasts. Well, Sir, I have tried to consider the point from all points of view, but I have never been able to find out, nor has anybody yet pointed out to me, how the jute forecast ever helps the agriculturists. It is patent enough that the forecast helps the buyers of jute but not the producers.

With regard not only to jute but to all agricultural commodities, what is wanted is a policy for organising the production, a great go-ahead policy by which all the agriculture in the villages should be collectivated, as the expression nowadays is, so that the cultivators in the villages will produce only those commodities which would be for the country's benefit not only in the villages but would dispose of them in the best possible manner. As to that the Agriculture Department has not made any move towards that end. Has it ever formulated any policy towards that end? The work of the Agriculture Department

does not show that it is quite awake to this fact and they never came forward with an agricultural programme which will enable the agriculturists of Bengal to husband their resources to the utmost advantage to themselves. Without that it cannot be said that the Agriculture Department has been functioning properly. There is no doubt that there is a great lack of funds; there is no doubt that the Agriculture Department has been treated with the utmost parsimony and they have not been able to get all or nearly all the funds necessary to carry on the great work of the agricultural organisation of the country. But that is not the sole fault of Government. It is not only that they have starved the Agriculture Department, but they have not provided in the Agriculture Department facilities for initiation of policy. The Agriculture Department is looked upon as a purely scientific department, a department whose duty is to find out improved crops. Research is undoubtedly an important part of the Agriculture Department, but it is not the only thing. The work of economic organization of agriculture is far more important at the present moment than the research work that is now being carried on in the Agriculture Department.

The Khan Bahadur has referred to certain good work done by the Agriculture Department and I will add to that the very good work done by it with regard to cattle-breeding and fodder-growing. An experiment was carried on in the district of Malda and I have already referred to it. It was a very valuable work. It must not be forgotten that cultivators in Bengal have to purchase cattle from merchants and dealers who sell cattle from Bihar, United Provinces and other places in *mêlas*; and no less than a crore of rupees is spent annually by the people of Bengal in the purchase of these cattle. All that money might have been saved by a systematic policy of cattle-breeding and also improved breeds could have been produced. Experiments carried on on those lines show how much valuable work could be done. The report of the Agriculture Department contains some of the details and any one who cares to investigate into the history will be able to find out further details. But what has the Agriculture Department done to further the work? Instead of furthering it, they have curtailed it, they have cut it down. That work is stopped by dispensing with the services of the people who were doing field work in that line. The Agriculture Department was very obliging in parting with a few thousands that were necessary for this work. If instead of doing that it insisted on demanding money, it could have done not only much benefit to the cultivators but would have increased substantially the wealth of the province and ultimately it would have benefited the exchequer itself. What is wanted, I think, is not scientific agriculture but a policy, a programme, by which we can organise the whole of the agriculture of the province and we want that there should be that

outlook, we want that Government should look upon the problem of agriculture as essentially a problem of economic organization and not essentially one of scientific research.

Maulvi ABUL KASEM: We have had a very interesting debate on the working of the Department of Agriculture and I want only to make a few remarks. We were told here in the beginning of the budget session and towards its end that the Agriculture Department is the most important department and does most important work. But what I regret to find is that not to-day but in the past as well the Department of Agriculture has been kept up by the Government of Bengal more as an apology than as a living working department. We have been told that Government have been very hard pressed in the matter of providing funds. But I say that agriculture is the mainstay of the province; it improves cultivation and also the conditions of the cultivators and, therefore, it should be the first concern of Government; without agriculture and agriculturist the province will have no legs to stand upon. We are spending money on various other departments where we can afford to lose, but in the eyes of the Government the rural areas and agriculture have very little significance and, therefore, they get very little sympathy and help from Government as a whole.

1-15 p.m.

We have, however, very little sympathy and help from the Government as a whole. Dr. Sen Gupta quarrels with the Hon'ble Minister of Agriculture for his generosity in handing over certain allotments to the Finance Member for other purposes, but I think, Sir, that perhaps the Hon'ble Minister had no option in the matter. He was forced to do so because Government as a whole attached importance to other departments, particularly the Police, and they wanted more money for it. The cry is that we want to maintain peace and order and for that any amount of money is wanted—because the police officers will come forward and say that unless we get this much, we shall not be able to maintain peace and order in the land; but I say that we also in this country want peace and order no less than the peace of the police force; but we want the peace of the city and not the peace of the graveyard. If the agriculturists are starved to death, we will have peace no doubt, but it will be the peace of the graveyard. The time has come when the greatest possible attention should be paid to agriculture by the Government as a whole. So far it has been neglected.

Sir, I have heard a good deal about jute and the help that the Government has extended to jute-growers. I am ignorant of jute and the production of jute. I am concerned with a simpler thing which is

rice which grows in my part of the province. We, Sir, on the other side of the Ganges contribute the largest amount of the provincial revenues. (A VOICE: What about coal?) I have just been reminded about coal. It is certainly an additional source of revenue to Government. Sir, we are most neglected people on this side of the Ganges. The difficulties of the Burdwan division about agriculture are mainly two—the difficulty of irrigation and the difficulty of drainage. I shall no doubt be told by the Hon'ble Minister that Government has spent a good deal of money on the Damodar Canal Scheme and on the Eden Canal which has completely dried up. But I would like to remind the House that Government and Government alone is responsible for the drying up of the water channels which serve the purposes of irrigation, drainage and drinking. What about the Banka, the Khoria and other channels which were intended for the purpose of irrigation for the whole district of Burdwan? They are now silted up and an appreciable portion of them has been turned into arable lands and has been divided into agricultural plots. This is due to the activities of Government in its various branches. It may be due to embankments on account of railway bridges. But whatever be the cause, the fact remains that those rivers which had a continuous flow of water and also drained the superfluous rain water are all silted up now and the people of Burdwan suffer from disadvantages—one of education in certain parts and want of drainage in other parts. The position is very acute and very serious and I have, even at the cost of being accused as parochial, brought this matter to the notice of the Government and appealed to them to spend as much money as they can on this department, particular attention being paid to my part of the province.

Babu SATYENDRA NATH ROY: I would draw the attention of the House to one branch of agriculture, *viz.*, the horticulture and fruit-growing. The Department of Agriculture has neglected this particular branch not on account of lack of funds but on account of lack of imagination. During the session I put a question to the Hon'ble Minister as to what steps have been taken by the department for growing fruits in the province and for marketing them. I was told in reply that there was a fruit farm at Kalimpong but that no steps could be taken for better marketing the fruits of the province. That was all the answer I got. Bengal with its fertile soil is dependent for its fruit supply on other provinces, even to Delhi and Quetta and even Australia and America. Under the circumstances, I would ask the Hon'ble Minister to have a look in this matter.

Mr. E. C. ORMOND: Sir, before speaking may I put a point of order? May I ask whether this debate will continue after 1-30?

Mr. PRESIDENT: I cannot tell you now. It all depends.

Mr. E. C. ORMOND: I personally am anxious that one of these cuts should be voted on. If it is a question of my speech preventing it then I would rather not speak.

Mr. PRESIDENT: I think you may go on with your speech.

Mr. E. C. ORMOND: These agricultural matters are the most serious of all questions in these days in Bengal. I wish to associate myself most emphatically with, and to give my most decided support to, what has been said before me this morning by the leader of my group, Mr. Travers, and by various other speakers. Why is the Agricultural Department starved in the way it is at the present day? Is it because the claims of the Agricultural Department hitherto have been considered to be merely the claims of dumb animals and dumb men? Is it because there have been no speeches from the agriculturists? If so, I take it and I hope that the Government will see from to-day's debate that those days are past and that we in this House now consider that agricultural problems in Bengal are far more important than any other problem. I say that without exaggeration. I would even say that it is far more important than some of the more expensive schemes of education which have hitherto been fashionable in the province.

Sir, I will say that we of the European group to which I belong—and I am authorised to say this on behalf of the group—look upon this question of agriculture as vital to the growth of the province and we shall form our attitude towards the ministry largely by its policy on this matter of agriculture. It is obvious—it hardly needs any remark to see—that the work of Government in the Department of Agriculture is primarily important for Bengal: and that in two fundamental respects. Everybody is now complaining that there is no money in Bengal. Then what is the obvious way of raising money and of increasing the resources of the province? Surely by increasing the agricultural resources. If the resources of wealth are increased, surely that is the only sound way of raising the standard of living. You cannot do it by taking money out of the treasury where no money is going in. The second matter which is so obviously important to my mind is the question of unemployment. In these days there is a perpetual flow of intelligent Indian young men for whom there is not sufficient opening. They are potential source of power and energy and wealth production in the province. They are a potential source of everything which is going to make Bengal great. If these young men are enamared by the peculiar system of education which has been in force hitherto into taking up only professions which lead them into careers of unemployment and dire impecuniosity, how is Bengal to stand?

I hear a *sotto voce* voice at my elbow whispering "Law." Sir, there is certainly the profession of law. The law is to some extent at the root of the trouble. There is a considerable number of lawyers in the province. If the province is really to be a going concern, it needs a certain amount of law—a certain number of lawyers—in order to keep the wheels going round—to prevent people who are quarrelling when they ought not to: and perhaps to make people quarrel when they ought to! But if you take, say, a given number of 1,000 young men growing up in Bengal, surely you do not want 800 of these young men taking up law in order to be a source of anxiety to their parents and a source of loss and anxiety also to the province. If this matter is serious, why cannot more money be taken for agriculture from the other sides of Government? Surely it is a question of priority; and surely we in this House will say that the Agriculture Department should have the priority which it has never had before. Sir, in this connection, a small matter occurs to me and I may as well mention it here. I and many of my friends hope that next year more than one hour and three quarters may be allotted to this Council for the discussion of this subject. With great respect I submit that we spend in this Council a very large portion of our time talking about matters over which we have no control—talking about all-India matters and matters which we cannot alter by a hair's breadth. We spend our time talking about things about which, everybody knows, nobody can make any impression in the Council. This question of agriculture is a practical problem and one in respect of which we can do very useful work in this Council. Now, Sir, I, with great respect to the Council, hope that the members will never tell me that I was trying to teach the Council anything. After the last time I spoke an hon'ble member made some such remark in relation to something I had said. I am sorry that he should have so misunderstood me. I am fully conscious of my incapacity to teach this Council anything. At the same time in these days it is sometimes the most obvious matters which are more than all others requiring your work and attention—obvious to the young as well as to the old, obvious to people with less intelligence as also to those of more intelligence—matters which, I think, I am entitled to press even before my leaders and my betters.

There is another matter which, if convenient to you, Sir, and to the House, I would like to put up for your consideration. There may be other members in the House who would like to see a cut passed. There have been several motions. But at the same time I may point out that some of us may not be in entire sympathy with all of them. You have, Sir, however, seen the feeling of the House this morning; and you will know that there is a general volume of opinion about this particular matter. But we wish only to press upon the Government our opinion. I should like to see one token cut passed. But we do not want a lot of cuts. Would it be convenient to you to have one particular motion

taken up and voted upon? I mean to express these views on the main point common to all the motions on that one cut: that more should be done for agriculture than hitherto in this province.

Mr. PRESIDENT: That point will arise day after to-morrow.

Mr. E. C. ORMOND: Then there is no need for me, Sir, to say anything more.

Adjournment.

The Council was then adjourned till 3 o'clock, on Monday, the 30th of March, 1931, at the Council House, Calcutta.

Proceedings of the Bengal Legislative Council assembled under the provisions of the Government of India Act.

THE COUNCIL met in the Council Chamber in the Council House, Calcutta, on Monday, the 30th March, 1931, at 3 p.m.

Present:

Mr. President (the Hon'ble Raja Sir MANMATHA NATH RAY CHAUDHURI, KT., of Santosh) in the Chair, the four Hon'ble Members of the Executive Council, the three Hon'ble Ministers and 106 nominated and elected members.

Starred Questions

(to which oral answers were given).

Posts reserved for the Indian Medical Service.

*172. **Mr. S. M. BOSE:** (*a*) Will the Hon'ble Minister in charge of the Local Self-Government Department be pleased to state—

(*i*) what orders were passed in 1923 regarding the posts reserved in Bengal for the Indian Medical Service;

(*ii*) what modifications, if any, have been made thereafter; and

(*iii*) the dates of such modifications?

(*b*) Is it a fact that the rights of non-I.M.S. men granted in 1923 to hold posts formerly reserved for the I.M.S. have been recently curtailed?

(*c*) If so, will the Hon'ble Minister be pleased to state what steps he has been taking in the matter?

(*d*) Will the Hon'ble Minister be pleased to lay on the table copies of the relevant orders on the subject from 1923 to 1930?

MINISTER in charge of LOCAL SELF-GOVERNMENT DEPARTMENT (the Hon'ble Mr. Bijoy Prasad Singh Roy): (*a*) The posts reserved for the Indian Medical Service in 1923 and 1928 are shown in the Regulations of 1923 and the Press communiqué of May, 1928, on this subject, copies of which are laid on the table. The Secretary of State has recently intimated that I.M.S. officers in civil employ

prior to April, 1924, should be regarded as having a claim to posts carrying increased pay or offering opportunities for specialisation which were reserved in 1923 but not in 1928. It is understood that the decision arrived at will be published shortly in the form of Regulations.

(*b*) See (*a*).

(*c*) The decision of the Secretary of State will be complied with, subject to such further reference to the Government of India as may be necessary as regards its interpretation in cases in which uncertainty arises pending the issue of the Regulations.

(*d*) See (*a*) as regards the orders of 1923 and 1928. Government are not in a position to lay on the table the subsequent correspondence between the Secretary of State and the Government of India.

Regulations and Press communiqué referred to in the answer to clause (a) of starred question No. 172.

REGULATIONS UNDER RULE 12 OF THE RULES MADE UNDER SECTION 45A OF THE GOVERNMENT OF INDIA ACT.

The posts under local Governments specified in schedule I of these regulations are reserved for officers of the Indian Medical Service.

2. If on the date on which these regulations are made, a post under a local Government not specified in schedule I of the rules is occupied by an officer of the Indian Medical Service, the post shall continue to be reserved for officers of the Indian Medical Service until such time as, in the opinion of the Governor-General in Council, its reservation in the interests of the incumbent becomes unnecessary.

3. In case of necessity a local Government may leave a post included in schedule I to these regulations unfilled, or may fill it otherwise than by the appointment of an officer of the Indian Medical Service, in either case for a period not exceeding six months, but shall report forthwith through the Governor-General in Council to the Secretary of State in Council that a reserved post has been left unfilled or has been filled otherwise than by the appointment of an officer of the Indian Medical Service, together with the reasons for its action. If the Secretary of State in Council is not satisfied of the necessity for the action taken by the local Government, he may direct that such vacancy shall be filled forthwith or that an officer of the Indian Medical Service shall be appointed to such post forthwith.

4. It shall be open to the local Government at the time of reporting action taken as provided in the foregoing regulation, or at any time subsequent within the period of six months, to request that a post reserved for an officer of the Indian Medical Service may be left unfilled, or may be filled otherwise than by the appointment of an

officer of the Indian Medical Service, for a period in excess of six months. It will rest with the Secretary of State in Council to decide whether or not the continuance of such an arrangement may be sanctioned for a period of 12 months beyond the expiry of the first six months. It shall further be open to a local Government within the period for which an extension is granted to make a further application for extension. The Secretary of State will dispose of such further application as if it were a first application for extension.

5. The officers of the Indian Medical Service eligible to hold the posts included in schedule I to these regulations shall be those officers of the Indian Medical Service who are posted by the Governor-General in Council to the province concerned. In the matter of such postings the Governor-General in Council may delegate such powers as he pleases to the Director, Medical Services, and to the Director-General, Indian Medical Service.

6. The posts specified in schedule II to these regulations shall be filled by the nomination of the Governor-General in Council.

7. The above regulations are declared to be provisional and without prejudice to the final orders to be passed by the Secretary of State in Council when he has received and considered the report of the Royal Commission on the Public Services.

SCHEDULE I.

Bengal.

1 Surgeon-General with the Government of Bengal.

1 Inspector-General of Prisons.

4 Superintendents of Central Jails.

1 Principal, Medical College, Calcutta.

4 Professorships at the Calcutta Medical College, *viz.*, Surgery, Midwifery, Ophthalmic Surgery, and Pathology and Bacteriologist to Government.

1 Superintendent, Campbell Medical School and Hospital.

1 Superintendent, Presidency General Hospital.

2 Resident Surgeons, Presidency General Hospital.

14 Civil Surgeoncies, namely, 24-Parganas, Howrah, Serampore, Hooghly, Dacca, Darjeeling, Rajshahi, Jalpaiguri, Berhampore, Chittagong, Barisal, Mymensingh, Midnapore and Noakhali.

Total—29 *plus* leave and study reserve at 27½ per cent.=8 or 37.

SCHEDULE II.

Surgeons-General.

Inspectors-General of Civil Hospitals.

Directors of first class Provincial Bacteriological Laboratories and Pasteur Institutes.

PRESS COMMUNIQUE ISSUED BY THE GOVERNMENT OF INDIA, DEPARTMENT OF EDUCATION, HEALTH AND LANDS, DATED SIMLA, THE 10TH MAY, 1928.

In paragraph 23 of their report the Royal Commission on the Superior Civil Services in India recommended that a Civil Medical Service should be constituted in each province, provision being made for the maintenance of a sufficient number of British officers to provide adequately for medical attendance on the British members of the all-India Services and their families. The Government of India have since been in correspondence with local Governments and with His Majesty's Secretary of State for India on the question of giving practical effect to these recommendations, and the Secretary of State has now sanctioned the following scheme, which is based on proposals framed in consultation with local Governments.

2. The Indian Medical Service constituted on the same broad lines as at present will be retained, primarily to meet the needs of the Indian Army. In order to maintain the necessary minimum war reserve of military medical officers, and to provide European medical attendance for European officers of the Superior Civil Services and their families, local Governments will be required to employ a stated number of Indian Medical Service officers. The Government of India will draw on the same service to meet the requirements of the civil administration for which they are responsible.

3. *War Reserve.*—It has been calculated, on as precise a basis as possible, that the war reserve to be employed by the civil side should consist of 134 British and 66 Indian officers. The larger number of British officers is due to the fact that British officers cannot be recruited in India in an emergency from the ranks of private practitioners.

4. *Civil requirements.*—The other factor which enters into the reckoning is the need for making adequate arrangement for medical

attendance on the British personnel of the Superior Civil Services and their families, and for the requirements of the civil administration for which the Central Government are responsible. This factor includes the provision of a number of appointments, hereafter termed "residuary," the incumbents of which must be retained permanently in civil employ so as to ensure continuance of a skeleton staff to cope with the medical requirements of the civil Government, whether for the purpose of treatment, or of administration, and, who cannot, therefore, be treated as part of the war Reserve.

5. Working on these data, the total number of Indian Medical Service officers required for civil employ is calculated at 302. The details are given below:—

(I) War Reserve	...	200
(II) For "residuary" posts in provinces	...	46
(III) Requirements of the Foreign and Political Department	...	17
(IV) Jails	...	8
(V) Special posts under the Government of India	...	14
(VI) Port Health Officers, Bombay and Aden	...	2
(VII) Reserve of 5 per cent. as allowance for officers who would not be available on mobilisation owing to illness	...	15
Total	...	302

(The figures shown against (II), (III), (IV), (V) and (VI) represent "residuary" posts.) Of the total of 302, 212 will be Europeans and 90 Indians.

6. To provide employment for 302 officers, 237 posts are required. The remaining 65 officers will constitute the leave and study leave reserve calculated at 27½ per cent. Of the 237 posts, 59 are available under the Government of India including posts in the Foreign and Political Department; and 178 posts will be provided in the provinces. 112 of the 178 posts primarily represent the requirements of the Civil Services in the matter of European medical attendance, and must be held by British officers. This estimate of the medical requirements

of European members of the Superior Civil Services and their families is based on data which will change from year to year, as the proportion of European to Indian civil officers gradually diminishes. It will, therefore, be subject to periodical scrutiny and, if necessary, revision. The remaining 66 posts will be open either to Europeans or Indians. 28 out of the 59 appointments under the Government of India will similarly be open to officers of either race. Complete lists of (*a*) posts to be reserved for the Indian Medical Service and (*b*) reserved posts for which Indian officers of the Service will be eligible, either equally with European officers, or exclusively, are printed as annexures I and II respectively with this communiqué.

7. Under regulations framed by the Secretary of State in Council in 1923 under Rule 12 of the Devolution Rules, 268 appointments are at present reserved for the Indian Medical Service in provinces. The new scheme, which reserves only 178 posts for them, will gradually release 90 posts for the Provincial Medical Services. It represents the maximum which can at present be set apart for these services, consistently with the need for providing economical employment in peace time for the medical war reserve of the Indian Army, and with the obligation to provide European doctors for the European personnel of the Superior Services.

8. The adoption of the new list of reserved posts will leave, on the civil side, a surplus of Indian Medical Service officers who are now holding appointments which are at present reserved for the Service. The existing rights of these officers will be fully preserved, and prospects equivalent to those afforded by the present list of reserved posts will be retained for them. These prospects will be allowed to diminish only *pari passu* with the absorption of the surplus which will exist until the number of Indian Medical Service officers now in civil employ is equal to the number of posts reserved for them in the new list. The detailed measures required to safeguard the prospects of Indian Medical Service officers already in civil employ are now being worked out.

9. In the interests of the Army, the local Governments and of officers themselves, the following rules will come into force forthwith as an integral portion of the scheme:—

(1) Liability to serve on either the civil or military side will be a definite condition of service for all future entrants to the Indian Medical Service;

(2) No officer will be transferred to civil employment without the consent of the Government of India and the local Government;

(3) An officer transferred to civil employment will not ordinarily be liable to be recalled to military employment (except on general

or partial mobilisation) without the consent of the local Government, but the Government of India will retain the power to recall an officer against the wishes of a local Government in very exceptional cases of absolute necessity;

(4) A local Government will not be at liberty to return to military employment an officer transferred to civil employment without the consent of the Government of India;

(5) All officers in civil employment (including those now in the service), about a year before the date on which they are expected to be due for promotion to the rank of Colonel, will be required to state whether they wish to return to military employment in order that they may be considered for promotion to administrative rank;

(6) Those officers who elect to return to military employment will be recalled and employed in a position suitable to their rank, without, however, any guarantee of eventual promotion;

(7) The case of each officer will then be considered on its merits when his name comes up for promotion, and (*a*) those considered suitable for military promotion will be retained on the military side until promoted to administrative rank, after which they would not normally revert to civil employment; while (*b*) those not considered suitable for promotion will normally revert to civil employment, or subject to the approval of the military authorities, be given the option of remaining in military employment in the rank of Lieutenant-Colonel until retirement;

(8) Those officers who do not elect to return to military employment will either (*a*) sever their connection with the Indian Medical Service and become members of the Provincial Medical Service on such terms as may be mutually agreed upon between themselves and the local Government, in which case they will cease to belong to the war reserve, or (*b*) will continue to belong to the Indian Medical Service, in which case they will be eligible for further promotion on the civil side, and will continue to belong to the war reserve, provided that they do not hold residuary appointments; also they will be eligible to receive promotion in military rank, as at present, on the basis of the civil administrative posts which they hold;

(9) An officer who desires permanent civil employment, but does not succeed in obtaining it, will be guaranteed employment in the military medical services, unless he is unfit for active service, or there is some other equally valid impediment to his being employed on military duties.

ANNEXURE I.

Statement showing civil appointments to be reserved for officers of the Indian Medical Service.

GOVERNMENT OF INDIA.

(Department of Education, Health and Lands and Home Department.)

* 1 Director-General, Indian Medical Service.

* 1 Deputy Director-General, Indian Medical Service.

@ 2 Assistant Directors-General, Indian Medical Service.

* 1 Superintendent, X-Ray Institute.

1 Imperial Serologist.

* 1 Chief Medical Officer, Delhi.

* 2 Civil Surgeons, Simla.

1 Civil Surgeon, Coorg.

1 Health Officer, Simla.

* 1 Assistant Director of Public Health, Delhi.

@ 15 Medical Research Department appointments.

* 1 Senior Medical Officer, Port Blair.

1 Civil Surgeon, New Delhi.

* 1 Public Health Commissioner with the Government of India.

30

Incumbents of posts marked with an asterisk (*) are not liable to be recalled on mobilisation. Of the posts marked (@) only 1 Assistant Director-General, Indian Medical Service, and 11 officers of the Medical Research Department are liable to be recalled on mobilisation.

(Foreign and Political Department.)

(a) 1 Residency Surgeon and Chief Medical Officer, Baluchistan.
(a) 1 Civil Surgeon, Quetta.
(a) 1 Civil Surgeon, Sibi.
1 Agency Surgeon, Bundelkhand.
1 Agency Surgeon, Bhopal.
* 1 Administrative Medical Officer, Central India, and Residency Surgeon, Indore.
* 1 Residency Surgeon, Hyderabad.
* 1 Residency Surgeon, Kashmir.
* 1 Agency Surgeon, Gilgit.
1 Agency Surgeon, Meshed.
* 1 Residency Surgeon, Bangalore.
* 1 Legation Surgeon, Nepal.
* 1 Medical Officer, Sistan.
* 1 Chief Medical Officer, North-West Frontier Province.
x 6 Civil Surgeons, North-West Frontier Province.
1 Assistant Director of Public Health, North-West Frontier Province.
* 1 Superintendent, Peshawar Jail, and Medical Officer, Frontier Constabulary Outposts.
* 1 Residency Surgeon, Bushire.
1 Agency Surgeon, Maskat.
*1 Civil Surgeon, Ajmer, and Chief Medical Officer, Rajputana.
1 Additional Civil Surgeon, Ajmer.
* 1 Residency Surgeon, Mewar.
* 1 Legation Surgeon, Kabul.
* 1 Residency Surgeon, Western India States Agency, Rajkot.

29

Incumbents of posts marked with an asterisk (*) are not liable to be recalled on mobilisation. Of the posts marked (x) only 4 Civil Surgeons are liable to be recalled on mobilisation. Of the three posts marked (a) only two are liable to be recalled on mobilisation.

LOCAL GOVERNMENTS.

Madras.

* 1 Inspector-General of Prisons.

4 Superintendents of Central Jails.

1 Surgeon to His Excellency the Governor.

* 1 First Surgeon in the General Hospital, Madras, and Professor of Surgery, Medical College, Madras.

* 1 First Physician in the General Hospital, and Professor of Medicine, Medical College, Madras.

* 1 Superintendent, Women and Children's Hospital, Madras, and Professor of Midwifery, Medical College, Madras.

1 Assistant Director of Public Health.

1 Director, Pasteur Institute, Coonoor.

@ 12 District Medical and Sanitary Officers, Malabar, Madura, Coimbatore, Bellary, the Nilgiris, Tanjore, Vizagapatam, North Arcot, Coonoor, Nellore or Guntur, Trichinopoly and one unspecified.

23

Incumbents of posts marked with an asterisk (*) are not liable to be recalled on mobilisation. Of the posts marked (@) only 10 are liable to be recalled on mobilisation.

Bombay.

* 1 Inspector-General of Prisons.

3 Superintendents of Central Prisons.

* 1 Superintendent, Mental Hospital, Yeravada.

* 1 Presidency Surgeon, 1st District, Physician on the staff of St. George's Hospital, Marine Surgeon and in Medical charge of the Elphinstone College.

* 1 Surgeon Superintendent, St. George's Hospital, Bombay.

1 Resident Surgeon, St. George's Hospital, Bombay.

* 1 Professor of Gynæcology.

1 Director or Assistant Director, Haffkine Institute, Bombay.

1 Appointment in the Public Health Department.

* 1 Port Health Officer, Aden.

* 1 Port Health Officer, Bombay.

@ 10 Civil Surgeons, Ahmedabad, Poona, Mahableshwar, Belgaum, Karachi, Nasik, Hyderabad (Sindh), Dharwar, Sholapore and Aden.

23

Incumbents of posts marked with an asterisk (*) are not liable to be recalled on mobilisation. Of the posts marked (@) only 9 are liable to be recalled on mobilization.

Bengal.

* 1 Inspector-General of Prisons.

4 Superintendents of Central Jails.

1 Surgeon Superintendent, Presidency General Hospital, Calcutta.

* 3 Professors, Medical College, Calcutta, specially qualified as Physician, Surgeon or Gynæcologist.

@ 13 Civil Surgeons, 24-Parganas, Dacca, Darjeeling, Chittagong, Rajshahi, Barisal, Mymensingh, Midnapore, Berhampore, Hooghly, Burdwan and two unspecified.

22

Incumbents of posts marked with an asterisk (*) are not liable to be recalled on mobilisation. Of the posts marked (@) only 10 are liable to be recalled on mobilisation.

United Provinces.

* 1 Inspector-General of Prisons.

5 Superintendents of Jails.

@ 18 Civil Surgeons, Benares, Allahabad, Cawnpore, Agra, Meerut, Naini Tal, Mussoorie, Lucknow, Moradabad, Jhansi, Bareilly, Gorakpur, Dehra Dun, Aligarh and Fyzabad and 3 unspecified.

24

Incumbents of posts marked with an asterisk (*) are not liable to be recalled on mobilisation. Of the posts marked (@) only 12 are liable to be recalled on mobilization.

Punjab.

* 1 Inspector-General of Prisons.

3 Superintendents of Central Jails.

1 Superintendent, Borstal Institute.

1 Assistant Director of Public Health.

* 2 Professors, Medical College, Lahore.

@ 11 Civil Surgeons, Lahore, Amritsar, Multan, Rawalpindi, Ferozepore, Lyallpore, Jhelum, Dera Ghazi Khan, Ambala, Jullundur and Shahpur (Sargodha).

19

Appointments reserved for Indian I. M. S. officers.

1 Superintendent, Mental Hospital, Lahore.

1 Professor of Surgery, Medical College, Lahore.

21

Incumbents of posts marked with an asterisk (*) are not liable to be recalled on mobilisation. Of the posts marked (@) 8 Civil Surgeons are liable to be recalled on mobilization.

Burma.

1 Inspector-General of Prisons.

3 Superintendents of Central Jails.

1 Superintendent, Mental Hospital, Rangoon.

1 Public Health appointment.

1 Director, Pasteur Institute, Rangoon.

$ 2 Civil Surgeons, Rangoon.

$ 4 Hospital and Professorial appointments in Rangoon (including the head Gynæcological appointments).

@ 17 Civil Surgeons, Akyab, Myitkyina, Bhamo, Mandalay, Myingyan, Toungoo, Magwe, Bassein, Moulmein, Maymyo, Shwebo, Prome, Taunggyi, Loimwe, Lashio and 2 unspecified.

30

Incumbents of posts marked with an asterisk (*) are not liable to be recalled on mobilisation. Of the posts marked (@) 12 Civil Surgeons are liable to be recalled on mobilisation. One of the two Civil Surgeons, Rangoon, and two of the four Hospital and Professorial appointments in Rangoon marked ($) are liable to recall.

Bihar and Orissa.

* 1 Inspector-General of Prisons.

3 Superintendents of Central Jails.

* 1 Superintendent, European Mental Hospital, Ranchi.

1 Assistant Director of Public Health.

1 Professor of Surgery, Medical College, Patna.

@ 10 Civil Surgeons, Patna, Cuttack, Muzaffarpur, Ranchi, Saran, Hazaribagh, Gaya, Darbhanga, Bhagalpur and Monghyr.

17

Incumbents of posts marked with an asterisk (*) are not liable to be recalled on mobilisation. Of the posts marked (@) only 7 are liable to be recalled on mobilisation.

Central Provinces.

*1 Inspector-General of Prisons.

2 Superintendents of Central Jails.

1 Public Health Officer.

@ 7 Civil Surgeons, Nagpur, Jubbulpore, Raipur, Hoshangabad, Saugor, Chhindwara and Akola (or Amraoti).

11

Incumbents of posts marked with an asterisk (*) are not liable to be recalled on mobilisation. Of the posts marked (@) only 4 are liable to be recalled.

Assam.

*7 Civil Surgeons.

*Only 4 are liable to be recalled on mobilisation.

ANNEXURE II.

The following reserved posts will be open to Indian officers of the Indian Medical Service on the civil side:—

(1) 15 Civil Surgeoncies (2 in Madras, 2 in Bombay, 3 in Bengal, 3 in the United Provinces and 5 in Burma).

(2) 6 Public Health Department appointments (one each in Madras, Bombay, Punjab, Burma, Bihar and Orissa and the Central Provinces).

(3) 2 Directorships of Pasteur Institutes at Coonoor and Rangoon.

(4) 1 Directorship or Assistant Directorship, Haffkine Institute, Bombay.

(5) 1 appointment of Surgeon Superintendent, Presidency General Hospital, Calcutta.

(6) 1 appointment of Surgeon to His Excellency the Governor of Madras.

(7) 1 Hospital and Professorial appointment in Rangoon.

(8) 1 appointment of Professor of Surgery, Patna.

(9) 2 appointments in the Punjab specifically reserved for Indians, viz., Superintendent, Mental Hospital, Lahore, and Professor of Surgery, Medical College, Lahore.

(10) 36 Jail appointments (including the post of Inspector-General of Prisons in all the provinces except Assam).

(11) 3 unspecified appointments under the Government of India in the Foreign and Political Department.

(12) 25 appointments under the Government of India in the Department of Education, Health and Lands (including 15 Medical Research Department appointments and the appointments of Director-General, Indian Medical Service; Deputy Director-General, Indian Medical Service; 2 Assistant Directors-General, Indian Medical Service; Superintendent, X-Ray Institute; Imperial Serologist; Health Officer, Simla; Assistant Director of Public Health, Delhi; Public Health Commissioner with the Government of India, and one of the two Civil Surgeons in Delhi). Total 94.

Jessore District Board.

*173. **Mr. K. C. RAY CHAUDHURI:** (*a*) Will the Hon'ble Minister in charge of the Local Self-Government Department be pleased to lay on the table a statement showing for the last three years—

(*i*) the names of the chairmen, vice-chairmen and members of the Jessore district board;

(*ii*) the amount drawn by each of them as travelling allowances; and

(*iii*) the places from which the charge was made?

(*b*) Is the Hon'ble Minister aware that an audit objection was raised with regard to the travelling allowances drawn by the chairmen, vice-chairmen and members of the Jessore district board for the years 1929 and 1930?

(*c*) If so, what action, if any, was taken in the matter?

(*d*) If no action was taken, what were the reasons?

The Hon'ble Mr. BIJOY PRASAD SINGH ROY: (*a*) A statement is laid on the table.

(*b*) No such objection appears yet to have been brought to the notice of Government, but it has been ascertained with reference to this question that the auditing officer has raised this point.

(*c*) The Chairman has referred the objection raised in audit to the District Magistrate who is in correspondence with the Commissioner about it.

(*d*) Does not arise.

Statement referred to in the reply to clause (a) of starred question No. 173.

LIST OF DISTRICT BOARD MEMBERS.

1927-28 and 1928-29 (Part).

Name.	Amount of travelling allowance drawn.						Places from which travelling allowance was drawn.
	1927-28.			1928-29 (April to June).			
	Rs.	a.	p.	Rs.	a.	p.	
1. Babu (now Rai Bahadur) Bijay Krishna Mitra, B.L. (Chairman).	1,102	2	0	568	7	9	Jessore.
2. Babu Bijay Gopal Bose (Vice-Chairman) ..	31	0	0	57	4	0	Ditto.
3. Babu (now Rai Bahadur) Keshab Lal Roy Chaudhury.	..			..			....
4. Babu Surendra Nath Haldar ..	..			..			....
5. Maulvi Tasiruddin Ahmed	..			..			....
6. Maulvi Mir Surat Jan	40	0	0	10	0	0	Panisara.
7. Babu Jyoti Prosanna Roy ..	199	15	0	89	12	0	Chandanpur-Bhowanipur.
8. Maulvi Chaudhury Fazlur Rahman ..	57	12	0	33	8	0	Sundarpur.
9. Subdivisional Officer, Bongaon ..	..			..			....
10. Babu Bhabendra Chandra Roy (then M.L.A.)	..			..			....
11. Maulvi Syed Nausherali, B.L., M.L.C. ..	74	4	0	24	12	0	Border of the district from Calcutta side.
12. Maulvi Abdus Samad	40	8	0	45	4	0	Ramchandrapur.
13. Maulvi Setabuddin	118	0	0	31	2	0	Kushaberia.
14. Maulvi Golam Rabbani	96	2	0	32	8	0	Chandrapara.
15. Babu Souresh Chandra Bakshi	88	0	0	22	4	0	Jhenidah-Madhupur.
16. Kumar Pannaga Bhushan Deva Ray ..	10	4	0	..			Naldanga.
17. Subdivisional Officer, Narail	..			..			....
18. Subdivisional Officer, Magura	..			..			....
19. Subdivisional Officer, Jhenidah	..			..			....
20. Subdivisional Officer, Sadar	..			..			....
21. Raja Pramatha Bhushan Deva Ray Bahadur	..			..			....
22. Rai Bahadur Jadunath Mazumdar, C.I.E. ..	..			..			....
23. Babu Manindra Nath Chatterji	72	5	0	23	12	0	Border of the district (Majhergram).
24. Maulvi Matiar Rahman	252	14	0	56	12	0	Bahadurpur.
25. Mr. H. C. MacLeod	..			..			Kotechandpur.
26. Maulvi Momtazuddin Ahmed	313	10	0	71	4	0	Par Nandail.
27. Babu Revati Kanta Sarkar	252	4	0	70	4	0	Magura.
28. (Now) Rai Sahib Kiran Chandra Singha ..	477	12	0	70	4	0	Ditto.
29. Babu Promatha Bhushan Bose	572	11	0	104	2	9	Dhuljuri.
30. The Civil Surgeon, Jessore	..			..			....

LIST OF DISTRICT BOARD MEMBERS.

1928-29 (Part) and 1929-30.

	Name.	Amount of travelling allowance drawn. 1928-29. (From July, 1928.) Rs. a. p.	Amount of travelling allowance drawn. 1929-30. Rs. a. p.	Places from which travelling allowance was drawn.
1.	Maulvi Aga Mohammad Abdul Bari Khan ..	331 1 0	475 2 0	Abalpur.
2.	Babu Bijay Krishna Mitra	..	..	....
3.	Babu Debendra Nath Biswas	377 4 0	1,184 0 0	Chapali (Gopalganj).
4.	Maulvi Fazlur Rahman	209 8 0	449 8 0	Barenga.
5.	Maulvi Fazlur Rahman Chaudhury ..	50 4 0	32 12 0	Sunderpur.
6.	Maulvi Golam Rabbani	65 0 0	111 8 0	Chandrapara.
7.	Rai Jadu Nath Mazumdar Bahadur, C.I.E. ..	..	..	....
8.	Rai Keshab Lal Roy Chaudhury Bahadur ..	..	..	....
9.	Maulvi Latafat Hossain Chaudhury ..	54 4 0	..	Sunderpur.
10.	Maulvi Lutfor Rahman	..	..	....
11.	Maulvi Mafizuddin Ahmed	..	..	....
12.	Babu Mohitosh Roy Chaudhury ..	110 10 0	156 8 0	Border of the district from Calcutta side.
13.	Maulvi Masihal Azam	477 14 0	987 4 0	Taraujial.
14.	Maulvi Matiar Rahman	151 9 0	578 9 0	Bahadurpur.
15.	Maulvi Mir Surat Jan	48 0 0	60 0 0	Panisara.
16.	Maulvi Mohammad Abdul Aziz	268 14 0	276 12 0	Narayanpur.
17.	Maulvi Mohammad Abdul Latif Sardar ..	50 10 0	189 12 0	Balidah
18.	Maulvi Mohammad Bazlur Rahman ..	23 12 0	158 6 0	Dhananjaypur (Fursundi).
19.	Maulvi Mohammad Sarwaruddin ..	70 10 0	220 3 0	Kacherkole.
20.	Subdivisional Officer, Bongaon	..	..	....
21.	Subdivisional Officer, Jhenidah ..	..	..	....
22.	Subdivisional Officer, Magura ..	..	..	....
23.	Subdivisional Officer, Narail	..	..	....
24.	Subdivisional Officer, Sadar	..	..	....
25.	Maulvi Syed Abdur Rauf (Vice-Chairman) ..	357 9 0	1,165 15 0	Jessore.
26.	Maulvi Syed Majid Baksh, M.L.C. ..	....	....	....
27.	Maulvi Syed Nausherali, M.L.C. (Chairman)	790 1 0	1,727 10 0	Border of the district from Calcutta side.
28.	Maulvi Toazuddin Ahmed	26 14 0	41 12 0	Jhenidah.
29.	Maulvi Wahidar Rashid	207 11 0	407 12 0	Joka.
30.	Maulvi Wallar Rahman	184 0 0	571 0 0	Narail.

Mr. NARENDRA KUMAR BASU: Will the Hon'ble Minister be pleased to state whether his attention has been drawn to items 25 and 27 of the statement? Has the Hon'ble Minister inquired as to the enormous rise in these items?

The Hon'ble Mr. BIJOY PRASAD SINGH ROY: Government has no reason to assume that this expenditure was not justified.

Births and deaths in certain villages in Jessore.

***174. Mr. K. C. RAY CHAUDHURI:** Will the Hon'ble Minister in charge of the Local Self-Government Department be pleased to lay on the table a statement showing for the last three years in the villages Sankerpore, Chandibarpore, Chalitatolla and Bongram within the jurisdiction of the Narail police-station and the villages Naldhi, Brahmandinagore, Sorsuna, Nauria, Bairpara and Charbalidia within

the Lohagara police-station in the district of Jessore, the birth and the death rates, together with the names of the diseases due to which deaths occurred?

The Hon'ble Mr. BIJOY PRASAD SINGH ROY: A statement is laid on the table. There is reported to be no village of the name of Charbalidia in the Lohagara police-station of Jessore district.

Statement referred to in the answer to starred question No. 174, of births and deaths in certain villages in Jessore district.

		Deaths.										Births.
Name of thana.	Name of village.	Malaria.	Cholera.	Accident.	Other causes.	Other fever.	Kala-azar.	Born dead.	Pneumonia.	Other respiratory diseases.	Total deaths.	Total.
1928												
Narail ..	(1) Sankarpur ..	7	..	..	..	..	..	..	..	..	7	6
	(2) Chandibarpur ..	19	2	..	..	..	..	..	..	..	21	25
	(3) Chalitatola ..	9	1	..	..	..	..	..	..	..	10	6
	(4) Bongram ..	2	8	..	..	..	..	..	..	..	10	4
Lohagara	(5) Naldi ..	19	2	..	..	..	..	..	..	..	21	24
	(6) Brahmandinagar	8	1	..	..	..	..	..	..	..	9	3
	(7) Sorsuna ..	3	..	..	..	..	..	..	..	..	3	..
	(8) Naura ..	4	1	..	..	..	..	..	..	..	5	3
	(9) Baruipara ..	5	..	..	1	..	..	..	..	..	6	2
1929												
Narail ..	(1) Sankarpur ..	15	4	1	2	..	..	1	..	..	23	22
	(2) Chandibarpur ..	19	2	..	1	..	..	..	..	..	22	22
	(3) Chalitatola ..	8	1	..	..	..	..	..	..	1	10	3
	(4) Bongram ..	2	..	..	1	..	..	..	..	..	3	2
Lohagara	(5) Naldi ..	16	3	1	4	1	..	..	..	..	25	18
	(6) Bramandinagar	15	..	..	2	..	..	..	..	..	17	18
	(7) Sorsuna ..	1	22	..	..	..	..	..	..	..	23	5
	(8) Naura ..	14	..	1	..	2	..	1	..	..	18	9
	(9) Baruipara ..	8	..	..	1	..	..	1	..	..	10	9
1930												
Narail ..	(1) Sankarpur ..	12	1	..	2	..	..	1	1	..	17	10
	(2) Chandibarpur ..	6	..	1	1	..	..	..	..	..	8	16
	(3) Chalitatola ..	5	..	..	1	..	..	..	..	..	6	3
	(4) Bongram ..	3	3	..	1	..	..	..	..	..	7	3
Lohagara	(5) Naldi ..	24	3	1	..	2	1	10	1	..	42	19
	(6) Brahmandinagar	9	..	..	..	1	2	3	..	..	15	6
	(7) Sorsuna ..	12	..	..	1	..	..	..	..	..	13	12
	(8) Naura ..	8	..	..	6	8	1	2	1	1	27	26
	(9) Baruipara ..	3	..	..	2	2	..	..	..	1	8	15

Quarters for the munsif, 3rd court, Tangail.

*175. **Maulvi NUR RAHMAN KHAN EUSUFJI:** (*a*) Is the Hon'ble Member in charge of the Judicial Department aware—

(*i*) that at present there are no family quarters provided by the Government for the munsif, 3rd court, Tangail, in the district of Mymensingh;

(*ii*) that there is no suitable pucca house available on hire at Tangail; and

(*iii*) that, for the present, the question of finding a suitable good house for living with family has been a most difficult one with the munsif, 3rd court, Tangail?

(*b*) If the answer to (*i*) is in the affirmative, will the Hon'ble Member be pleased to state what steps are being taken by Government to solve the question of family quarters of the munsif, 3rd court, Tangail?

MEMBER in charge of JUDICIAL DEPARTMENT (the Hon'ble Mr. W. D. R. Prentice): (*a*) (*i*), (*ii*) and (*iii*) Yes.

(*b*) A scheme for the construction of quarters for the munsif, 3rd court, Tangail, has been administratively approved, but no funds are available now for financing it.

Maulvi NUR RAHMAN KHAN EUSUFJI: Will the Hon'ble Member be pleased to state how long the scheme has been pending?

The Hon'ble Mr. W. D. R. PRENTICE: I am afraid I do not know. If you like I will let you know.

Maulvi NUR RAHMAN KHAN EUSUFJI: Will the Hon'ble Member be pleased to state when Government expect to commence the work?

The Hon'ble Mr. W. D. R. PRENTICE: I am afraid that there are many more important schemes pending.

Resignation of members of Midnapore district board representing local boards of the district.

*176. **Mr. R. MAITI:** (*a*) Will the Hon'ble Minister in charge of the Local Self-Government Department be pleased to state whether it is a fact that there has been no bye-election up till now to fill up

the vacancies caused by the resignation of a large number of elected members of the local boards under the district board of Midnapore in June, 1930?

(*b*) If the answer to (*a*) is in the affirmative, will the Hon'ble Minister be pleased to state what is the reason for deferring the election so long?

(*c*) Is it a fact that such local boards which have not yet been fully represented by the requisite number of the elected members, have sent in their representatives to the district board in place of the members who have already resigned their seats from the district board?

(*d*) Is it a fact that the district board as at present constituted has passed a resolution at its meeting held on the 28th February last recommending the continuance in office of the present official chairman till the end of the life of the present board, in spite of the fact that the appointment of the official chairman was made only for one year in supersession of the elected chairman by notification No. 296-L.S.-G., dated the 13th June, 1930?

The Hon'ble Mr. BIJOY PRASAD SINGH ROY: (*a*) Yes.

(*b*) The state of the district was such at the time when the vacancies occurred that no bye-election was possible. Thereafter under Government orders contained in letter Nos. 8801-8802 Jur., dated 26th July, 1930 (a copy of which is appended), no bye-election could be held within two months before and after the final census enumeration, *i.e.*, the 26th February.

(*c*) Yes. The work of the board had to go on and representatives of local boards were essential. The work of the board was at a standstill and action had to be taken.

(*d*) Yes. A unanimous resolution was passed at that meeting as follows:—

"In view of the precarious financial condition of the board and the anomalous state in its administration and considering the valuable services rendered and sincere works done by the present chairman to square up the difficulties and improving the situation, it is resolved that the Government be requested to reappoint him for another term after the expiry of his present term."

Owing to illness the official chairman was not present at that meeting. Similar resolutions have been passed by the Ghatal and Contai local boards.

Government order referred to in the answer to clause (b) of starred question No. 176.

Nos. 8801-8802 Jur., dated Calcutta, the 26th July, 1930.

Memo. by—R. DATTA, ESQ., Assistant Secretary to the Government of Bengal, Revenue Department (offg.).

Copy of the following, together with an extract from paragraph 10 of the report referred to, forwarded to the Local Self-Government Department of this Government for necessary action.

No. 750 C., dated Calcutta, the 15th July, 1930.

From—A. E. PORTER, ESQ., I.C.S., Superintendent of Census Operations, Bengal,

To—The Secretary to the Government of Bengal, Revenue Department.

I have the honour to invite a reference to the concluding portion of paragraph 10 at page 7 of the Administrative Volume (Part III) of Mr. Thompson's Report on the Census of Bengal, 1921, and to request that the Governor in Council be moved to arrange that elections to the Legislative Council and local bodies shall not be fixed to occur, unless it is unavoidable, within a period of from two months to ten weeks before or after the 26th February, 1931.

EXTRACT FROM CENSUS OF INDIA, 1921, VOLUME V, BENGAL AND SIKKIM, PART III, ADMINISTRATIVE VOLUME.

* * * * * *

C—SELECTION AND APPOINTMENT OF CENSUS OFFICERS.

10. The Charge Superintendent.—

* * * * * *

In this connection I would urge that as far as possible the dates for elections to local Governing Bodies should be so arranged that they do not come near the time of the census. Coming after the elections to the Legislative Councils and nearer to the actual census day the elections to local boards on this occasion interfered very much with census arrangements by taking up much of the time of officers who were also doing census work.

Mr. SHANTI SHEKHARESWAR RAY: Will the Hon'ble Minister be pleased to state when it is proposed to hold a new election?

The Hon'ble Mr. BIJOY PRASAD SINGH ROY: I believe at the end of this year.

Babu SATISH CHANDRA RAY CHOWDHURY: Will the Hon'ble Minister be pleased to state whether the resolution was in order?

The Hon'ble Mr. BIJOY PRASAD SINGH ROY: I believe so.

Bongaon Local Board.

***177. Mr. SARAT KUMAR ROY:** (*a*) Will the Hon'ble Minister in charge of the Local Self-Government Department be pleased to state whether it is a fact that a redistribution of seats in the election to the Bongaon local board has been made recently in the Sarsa and Mahespur thanas of the Bongaon subdivision?

(*b*) Is the Hon'ble Minister aware that election to the said local board will take place in the first week of April next?

(*c*) Is the Hon'ble Minister aware that if the redistribution is given effect to during the next election it will greatly inconvenience the candidates and voters alike?

(*d*) Are the Government considering the desirability of not giving effect to the redistribution of seats at least during the present election?

The Hon'ble Mr. BIJOY PRASAD SINGH ROY: (*a*) The redistribution of seats in the Sarsa and the Mahespur thanas of the Bongaon subdivision was made under the Divisional Commissioner's notification No. 14L. S.-G., dated the 5th January, 1931, a copy of which is appended, on the basis of the figures shown in the annexed statement.

(*b*) The election of members of the Bongaon local board will be held on 2nd, 7th and 8th April, 1931, as shown below:—

Bongaon police-station—2nd April, 1931.

Mahespur police-station—8th April, 1931.

Sarsa police-station—7th April, 1931.

Gaighata police-station—2nd April, 1931.

(*c*) No such inconvenience is apprehended.

(*d*) No.

Copy of the letter referred to in the answer to clause (a) of starred question No. 177.

No. 14L. S.-G., dated the 5th January, 1931.

Notification by—The Commissioner of the Presidency Division.

In modification of this office notification No. 50L. S.-G., dated the 2nd December, 1921, so far as it relates to the distribution of seats of the Bongaon local board to the several thanas in the Bongaon subdivision in the district of Jessore, it is hereby notified for general information that under rule 19 of the Election Rules made under section 138(*a*) of the Bengal Local Self-Government Act, the seats on the Bongaon local board of members from Mahespur and Sarsa thanas in the said subdivision are redistributed as follows:—

Mahespur—3.

Sarsa—2.

Statement referred to in the answer to clause (a) of starred question No. 177.

Name of thana.	Total population (male and female).		Number of voters.		Area in square miles.	Number of seats allotted previously.	Number of seats after redistribution.
	Hindus.	Muslimans.	Of 1926.	Of ensuing election.			
Sarsa ..	20,286	42,925	4,751	5,900	129·83	3	2
Mahespur ..	30,423	52,440	2,978	9,235	198·58	2	3

3rd Munsif's Court at Tangail.

*178. **Maulvi NUR RAHMAN KHAN EUSUFJI:** (*a*) Is the Hon'ble Member in charge of the Judicial Department aware—

(*i*) that a pucca structure has recently been constructed for the accommodation of the 2nd Munsif's court and offices at Tangail in the Mymensingh district;

(*ii*) that at present there are three permanent munsifs' courts at Tangail;

(*iii*) that the court and the attached office of the munsif, 3rd Court, Tangail, are situated in a thatched house;

(*iv*) that there have occurred several conflagrations in recent years in the town of Tangail, very close to the Civil Court compound;

(*v*) that the aforesaid thatched house of the court and office of the 3rd Munsif, Tangail, stands in a most unsafe condition; and

(*vi*) whether there is any proposal for the extension of the aforesaid building of the 2nd Munsif's court at Tangail with a view to accommodate the court and the office of the 3rd Munsif there?

(*b*) If the answer to (*a*) (*vi*) is in the affirmative, will the Hon'ble Member be pleased to state the approximate, if not precise, time when the said proposal is intended to be given effect to?

(*c*) Will the Hon'ble Member be pleased to state—

(*i*) the amount originally estimated to be spent for the building referred to in the above (*a*) (*i*); and

(*ii*) the amount actually spent up to date for the purpose?

The Hon'ble Mr. W. D. R. PRENTICE: (*a*) (*i*) to (*vi*) Yes.

(*b*) The scheme will have to wait for some time along with other urgent projects of the department in view of the present financial situation. It is not likely to be undertaken in the near future.

(*c*) (*i*) The sanctioned estimate amounted to Rs. 63,844 including a witness shed and fencing.

(*ii*) Rs. 50,397.

Cess Revaluation in Faridpur.

***179. Maulvi TAMIZUDDIN KHAN:** (*a*) Is the Hon'ble Member in charge of the Revenue Department aware—

(*i*) that cess revaluation proceedings are now going on in the district of Faridpur;

(*ii*) that the district is hard hit on account of the prevailing economic distress;

(*iii*) that the revaluation proceedings are entailing additional hardships on the inhabitants of the district;

(*iv*) that the district board of Faridpur has been highly affected financially amounting almost to a crisis on account of these revaluation proceedings;

(*v*) that the said board has been compelled to suspend all original works including even those relating to its schemes of water-supply and medical relief; and

(*vi*) that the general public as well as the Faridpur District Board have petitioned the Government for the suspension of the proceedings till the return of better economic conditions?

(*b*) Are the Government considering the desirability of redressing the grievances of the suffering public in this respect?

MEMBER in charge of REVENUE DEPARTMENT (the Hon'ble Sir Provash Chunder Mitter): (*a*) (*i*) Yes.

(*a*) (*ii*) to (*vi*) and (*b*) The member is referred to the speech, dated the 17th March, 1931, of the Hon'ble Member in charge of the Revenue Department, on budget motions 4 and 5, a copy of which is laid on the Library table.

Unstarred Questions

(answers to which were laid on the table).

Mosquito nets to prisoners.

112. Maulvi ABDUL HAKIM: (*a*) Will the Hon'ble Member in charge of the Political (Jails) Department be pleased to state—

(*i*) whether it is a fact that the *satyagrahi* prisoners in division III in the Presidency Jail are kept locked up even in the day-time;

(*ii*) whether there is any difference in the quality of rice that is supplied to the *satyagrahi* political prisoners and that to the ordinary criminal convicts in the said jail; and

(*iii*) whether the *satyagrahi* political prisoners in division III in the Presidency Jail are supplied with mosquito curtains?

(*b*) If the answer to (*a*) (*iii*) is in the negative, will the Hon'ble Member be pleased to state whether the Government are considering the desirability of supplying mosquito curtains to the *satyagrahi* political prisoners in division III, specially in those places which are infested with mosquitoes?

MEMBER in charge of POLITICAL (JAILS) DEPARTMENT (the Hon'ble Sir Provash Chunder Mitter): (*a*) (*i*) There are no such prisoners in the jail.

(*ii*) Does not arise.

(*iii*) Does not arise.

(*b*) The member is referred to the answer given to the starred question No. 97 asked by Babu Satish Chandra Ray Chowdhury in the current session.

Agricultural loans to the cultivators of Noakhali.

113. Haji LAL MUHAMMED: (*a*) Will the Hon'ble Member in charge of the Revenue Department be pleased to state whether the Government have received any report from the District Magistrate of Noakhali recommending any grant for agricultural loans to the cultivators of Noakhali for the year 1931?

(*b*) If so, have the Government sanctioned any amount?

(*c*) Is it a fact that Rs. 2,500 was sanctioned last year and advanced to cultivators? If so, to whom?

(*d*) Will the Government be pleased to lay on the table a statement showing—

(*i*) names of persons to whom loans have been advanced;

(*ii*) residence with designation, if any; and

(*iii*) police-station?

The Hon'ble Sir PROVASH CHUNDER MITTER: (*a*), (*b*) and (*c*) In July, 1930, on the report of the Collector, the Commissioner recommended that Rs. 5,000 should be allotted to the Collector of Noakhali for agricultural loans in 1930-31. The sum of Rs. 2,500 was allotted immediately. A further inquiry was made from the Collector in January, 1931, asking him to report what further amount would be required in 1930-31, and he reported that he would require no further amount in 1930-31. No further report has been received asking for any allotment in 1931-32.

(*d*) In March, 1931, he surrendered the Rs. 2,500 allotted, as it was not required.

Relief to the tenants in occupation of lands in the Sunderbans area in Khulna on account of the low price of paddy.

114. Mr. MUKUNDA BEHARY MULLICK: (*a*) Will the Hon'ble Member in charge of the Revenue Department be pleased to state whether it is a fact that section 40 of the Bengal Tenancy Act, as it stood before the amendment of 1928, used to give some relief to the tenants?

(*b*) Is the Hon'ble Member aware that the cultivating tenants in occupation of the lands in the Sundarbans areas in the police-stations Kaliganj, Shamnagar, Pratapnagar, Dacope, Rampal, Batiaghata, Morelganj and Sarankhola, in the district of Khulna, have had to pay their rent in kind since the inception of their tenancies?

(*c*) Is it not a fact that the outturn of crops in these areas has fallen within recent times to a considerable degree for various reasons, such as constant inundation, drought and inrush of saline water, etc.?

(*d*) Are the Government aware that the only crop grown in these areas is paddy?

(*e*) Is it not a fact that the prices of paddy have varied in recent times to a considerable degree?

(*f*) If the answer to (*e*) is in the affirmative, will the Hon'ble Member be pleased to state whether the same has caused great hardship to these tenants inasmuch as the rents are now realised at the present market prices of the paddy?

(*g*) If the answer to (*f*) is in the affirmative, will the Hon'ble Member be pleased to state what steps, if any, the Government proposes to take to remove the said hardship?

The Hon'ble Sir PROVASH CHUNDER MITTER: (*a*) Yes, it is believed that those occupancy raiyats who applied for and obtained commutation were benefited, but the number of applications was very limited.

(*b*) There are many such cases.

(*c*) No, except in some areas where there is no adequate provision against ingress of saline water.

(*d*) Yes, that is generally so.

(*e*) In some years there has been a considerable rise or fall.

(*f*) As the present price of paddy is low, it could cause no hardship to the tenants if rents are being realised at the present market price of the paddy.

(*g*) Does not arise.

Earthquake shocks.

115. Maulvi HASSAN ALI: Will the Hon'ble Member in charge of the Revenue Department be pleased to lay on the table a statement showing district by district—

(*i*) how many shocks the different districts of Bengal received up to now in consequence of the recent earthquakes;

(*ii*) how much loss of property and person accrued in consequence thereof; and

(*iii*) what are the causes of the shocks of these earthquakes?

The Hon'ble Sir PROVASH CHUNDER MITTER: (*i*) The number of earthquake shocks with origin within 500 miles recorded at Alipore from 3rd July, 1930, to 7th February, 1931, was 63. Besides these 20 more shocks not recorded at Alipore were felt by observers at Gauhati, Berhampore or Dumka from 4th to 22nd July, 1930.

(*ii*) Government have no information about any loss of life. The damage to public buildings in the Rajshahi division is estimated at about Rs. 42,648.

(*iii*) The member is referred to the lecture delivered by Dr. C. S. Fox, Superintendent, Geological Survey of India, which appeared in the *Statesman* of 24th August, 1930.

Amount of transfer fees realised.

116. Maulvi ABDUL HAKIM: Will the Hon'ble Member in charge of the Revenue Department be pleased to state the total amount of *najar* or *salami* (transfer fee) paid by the raiyats under the Bengal Tenancy (Amendment) Act of 1928, within the period of 12 months since the enforcement of the said Act in Bengal?

The Hon'ble Sir PROVASH CHUNDER MITTER: The total amount of transfer fees realised from 1st April, 1929, to 31st March, 1930, was Rs. 43,39,597.

Mr. NARENDRA KUMAR BASU: Will the Hon'ble Member be pleased to state what proportion of this amount has been relegated to the landlords?

The Hon'ble Sir PROVASH CHUNDER MITTER: I want notice.

Extinction of the rhinoceros by poaching.

117. Mr. W. L. TRAVERS: (*a*) Is the Hon'ble Member in charge of the Revenue (Forests) Department aware that illicit poaching is so reducing the numbers of the interesting animal, the great Indian rhinoceros, that it may become extinct?

(*b*) Is the Hon'ble Member aware that extraordinary prices are paid for the horn of rhinoceros?

(*c*) Will the Hon'ble Member be pleased to state the price which has been received at auction for a horn of the rhinoceros?

(*d*) Are the Government considering the desirability of taking measures to prevent the extinction of the rhinoceros in Bengal?

MEMBER in charge of REVENUE (FORESTS) DEPARTMENT (the Hon'ble Alhadj Sir Abdelkerim Ghuznavi): (*a*) It has been reported that cases of illicit poaching have occurred lately and it is probable that if this continues the animal may become extinct in Bengal.

(*b*) Yes.

(*c*) Rs. 1,113 in one instance and Rs. 1,954 in another at Rs. 900 and Rs. 1,080 per seer, respectively.

(*d*) Yes.

Concession rates charged on certain wards' estates.

118. Srijut TAJ BAHADUR SINGH: Will the Hon'ble Member in charge of the Revenue Department be pleased to state—

(*i*) whether concession rates for general supervision and for audit are charged with regard to Dacca Nawab, Punna Meah Trust and Bhawal Wards' Estates;

(*ii*) whether such rates are charged from any other estates except those three;

(*iii*) the total amount that is annually conceded on the head of—

(*a*) general supervision; and

(*b*) audit

in respect of each of those estates on account of concession rates?

The Hon'ble Sir PROVASH CHUNDER MITTER: (*i*) The answer is in the negative with regard to the Dacca Nawab and Bhawal Wards' Estates; Punna Meah Trust being a small estate consisting of Government securities only no general rate is levied.

(*ii*) Does not arise.

(*iii*) No amount is conceded.

Statement of the Hon'ble Member in charge of the Political Department regarding release of civil disobedience prisoners.

The Hon'ble Mr. W. D. R. PRENTICE: May I have your permission, Sir, to give up-to-date figures about the release of civil disobedience prisoners?

The number to be dealt with was 1,908; of these, 1,775 have been released up to 26th March, 1931, leaving 133. Since then 25 have been ordered to be released, leaving 108 to be dealt with. We have asked for further inquiries to be made in respect of 10 of these; of the remaining 98, 30 were concerned in two Mymensingh cases which are being considered by the District Magistrate and 39 in two cases from Midnapore, leaving a balance of 29 for the rest of Bengal.

DEMANDS FOR GRANTS.

The discussion under the head "34.—Agriculture" was then resumed.

Mr. W. L. ARMSTRONG: I find myself in a somewhat unique, if awkward, position in that I find myself out of tune with what has been expressed by previous speakers of this group.

Mr. Ormond has stated that it is the opinion of this group that we should support certain cuts from the Agricultural grant. I am sorry to have to dissociate myself from any such action, for I have not been consulted in the matter and I know I am not the only one whose opinion has not been invited.

The explanation in my case might be that I am the baby of the House, but as you know, Sir, "out of the mouths of babes and sucklings" and I leave the rest of the quotation to the Council.

To support these motions for reduction would be to my mind entirely wrong and not in accord with the spirit or the substance of the debate to which we have listened.

It seems to me that we are giving praise on one hand and expression to that praise by votes of censure if these motions are passed. It is like thrashing a child for its good behaviour. If it is the intention of those, who propose and support these motions for reduction, to aim at the Finance Ministry while the bullet will strike the Agricultural Ministry, I am afraid that such is a brand of parliamentary calisthenics—the wisdom of which my immature brain cannot comprehend.

If that be the purpose, I commend the course to the Army Council for the revision of its musketry regulations.

We should avoid misunderstanding, blunders, bother, and doing one thing when we mean another. To caress with one hand and thrash with the other would be to me, to use a Shakespearian phrase, the "unkindest cut of all."

I notice that one of the motions demands that the department should control commodity prices. I am afraid we are asking the Agriculture Minister to study the stars and exercise any occult powers which he may possess.

Then again we are told by Dr. Sen Gupta that what the Agricultural Ministry lacks is imagination. It is admitted that the Agricultural Department is starved and when I next meet a starved man I know how to address him. I shall say, my dear Sir, you do not require funds for food, nor a full course meal. What you require is a course of Coueism and imagination. One might imagine how that brand of philosophy would be greeted by the starving man.

I agree with Mr. Ormond that the production of surplus turnips is of more importance to this province than the superfluous production of unemployed and briefless lawyers. But I fail to see the logic of a position which asks us to express our dissatisfaction at the inadequacy of the grant to the Agricultural Department by moving what in effect can only be described as votes of censure on that department and reducing its already depleted funds.

I would appeal to the movers of the motions that the correct, consistent and gracious course would be to withdraw these undeserved attacks.

In doing so, Sir, I hope it will not be inferred that because I support the Ministry on this occasion that I am prepared to support ministries be they right or wrong. Those who know me best outside this Council will know that such would not be characteristic of my mentality or behaviour. When Government is right, I shall justly give it my

support; when Government is wrong I shall feel compelled to exercise my laryngeal organs in the strongest protest that I am capable of uttering.

But should either occasion arise, Sir, I hope to be as fortunate as I have been to-day in attracting your attention and receiving the uninterrupted, courteous hearing which this House has allowed me to enjoy to-day.

The Hon'ble Khan Bahadur K. G. M. FAROQUI: Sir, the three motions which have been moved on the question of policy of the Agriculture Department are so worded as to criticise the working of the department and its output, and it is on these lines that the members who moved these motions criticised the department, but in the course of the discussion, some of my friends have raised the question of inadequacy of provision under this head.

Taking up the last point first, Sir, it has been said that in my anxiety to please the Hon'ble Finance Member, I readily agreed to a heavy surrender from the grant under "Agriculture." But, Sir, the situation has been abnormal. On the one side, we have been passing through a world depression in trade which has coincided with a very large outturn in jute and rice crops, and on the other hand, Government had to face increased expenditure on account of the civil disobedience movement. Neither Government nor the Council have any Alauddin's lamp with the help of which they can bring money from the air. Government had, therefore, no option left but to observe the strictest possible economy; and the budget not only of the Agriculture Department but also of all other departments were thoroughly examined with a view to effecting all possible reduction in expenditure. As a result of this examination, as much as nearly Rs. 41 lakhs was surrendered up to the end of December last from the budgets of all the departments, both Reserved and Transferred. Out of this Rs. 41 lakhs, a little over Rs. 17 lakhs was surrendered from the provisions for important nation-building departments in charge of Ministers. Thus the Ministers have by no means been unmindful of the interest of the departments in their charge as has sometimes been alleged. And it will be news to some of my friends in the Council to know that the surrender from the Agriculture Department was among the least, being only Rs. 1,50,000 as against Rs. 5,45,000 from the provision under the head "Education—Transferred," Rs. 5,72,000 from "Medical," and Rs. 3,97,000 from "Public Health," while the only nation-building department which surrendered even less than the Agriculture Department is the "Industries—Transferred," where only Rs. 63,000 was retrenched.

Then, Sir, Mr. Narendra Kumar Basu has said that not only is the revised estimate for the current year lower as compared with the original estimate, but that the next year's estimate is lower still. I am afraid, Sir, this is not correct. If the hon'ble member will only take the trouble to turn to page 7 of the Red Book, he will find that the provision for expenditure on "Agriculture" which is being proposed for the coming year is altogether Rs. 27,21,000 as against the revised estimate of Rs. 26,43,000 in the current year.

It is true, Sir, that we could spend usefully more money on agriculture as a number of schemes has been held up owing to want of funds. No one regrets this more than I do. But, Sir, at the present moment, Government have not simply any more money to spend as even according to the budget drawn up, the closing balance at the end of the coming year will be reduced much below the margin of safety. The question of providing more funds was in fact examined at the last meeting of the Standing Committee on Agriculture which consists among other members of the Legislative Council my friend Mr. Travers, the leader of the European group in this House. As my friend Mr. Travers has told the House, a resolution was passed at that committee at his instance, that as soon as the financial conditions allowed, an annual progressive increment of Rs. 2 lakhs for a period of five years should be added to the Agriculture Department budget. It would be added that it was recognised by all the members of the committee present that in the present financial stringency it was not possible to provide more funds. This disposes of the plea of my friend Mr. Ormond for more funds at once. I have not the least doubt, however, that the recommendation of the Standing Committee will receive the most careful consideration of Government. In the meantime we have succeeded in obtaining the approval of the Imperial Research Council to certain schemes of agricultural improvement which would involve the grant by the Council to this province of Rs. 3,28,247.

Turning now to the failure and shortcomings of the Agriculture Department as alleged in the course of the discussion, my friend Rai Bahadur Kamini Kumar Das referred to the failure of the Agriculture Department to control plant disease. A few years ago, a most serious disease of the betel-vine was reported to the Department of Agriculture. The disease spread so rapidly as to threaten the entire trade in this commodity much to the detriment of the poor growers. Its investigation was immediately taken up. As a result, remedial measures have already been demonstrated on a wholesale scale, and Baruis themselves are now buying sprayers and generally applying departmental recommendations. This disease has now been brought under effective control. In view of the value and importance of the betel-vine crop, it may be claimed without exaggeration that the

successful investigation and prompt application of remedial measures constitute a striking achievement in the history of plant pathology. The *Ufra* disease of deep-water paddy is another instance of the value of careful investigation and prompt application of the results the value of which the cultivator of deep-water paddy appreciates fully. The incidence of this disease has, as a result, markedly decreased in recent years. Such instances could be multiplied but sufficient has been said on this point.

Then, Sir, my friends Rai Bahadur Kamini Kumar Das and Kazi Emdadul Hoque have referred to the inadequate number of demonstrators. We recognise the necessity for employing more demonstrators to disseminate widely the results of research. Nevertheless the results of research have been introduced to ordinary cultivator's practice on a wide scale which will bear comparison in this respect not only with other Indian provinces but with any other country in the world. For instance, Mr. Lyster Dewny, Special Officer for fibres to the Federal Government of the United States of America, says that this department's "achievement in introducing the improved races of jute to the cultivators is splendid especially in comparison with our results in regard to improved variety of hemp." As a result, the average return from jute to the cultivators of Bengal which was Rs. 15 crores per annum in the earlier years of this century rose to about Rs. 50 crores per annum in the last five years. It has, however, been said, Sir, that the introduction of the improved variety of jute has led to over-production and to the consequent slump in the jute market, and the Agriculture Department has been blamed by certain members including Maulvi Hassan Ali. This charge, however, practically tantamounts to the recognition of the fact that so far as the production of jute at least is concerned, the Agriculture Department has been highly successful. But, Sir, it is not so much the quantity of jute as has been produced as the absence of world demand for the stuff which is responsible for the present depression. In 1926, we had a very large crop, but prices were maintained as there was then the overseas demand. Besides jute, departmental achievements are at least equally important with paddy, sugar-cane, tobacco, etc.

Then, Sir, the department has been blamed for not publishing forecasts of trade demand for jute. I submit, Sir, that no Government can commit itself to such a dangerous policy. Probability of trade demand is a matter of speculation, and it is hardly desirable that a Government should speculate regarding the probability of demand. I have fully dealt with this point in another connection.

Dr. Naresh Chandra Sen Gupta has said that the problem of agriculture in Bengal is not one of scientific research but is an economic problem. But, Sir, other persons who can speak with

authority hold quite a different view. No less an authority than the Royal Commission on Agriculture says "the basis of all agricultural progress is experiment. However efficient the organisation which is built up for demonstration and propaganda, unless that organisation is based on the solid foundations provided by research, it is merely a house built on sand." The Bengal Agriculture Department is not in any way unique in its constitution. It does not differ in any essential from the Agriculture Departments in any other provinces in India or even of other parts of the world. And the department has every reason to be proud of its achievements. To decry its work is to cast a most undeserved slur on a body of European and Indian officials who have worked wholeheartedly and have produced results of practical value which have been applied on a wide scale to the lasting benefit of the province.

The following motion of Rai Bahadur Kamini Kumar Das was then put and lost:—

"That the demand of Rs. 11,05,000 under the head '34A.—Agriculture' be reduced by Rs. 100 (policy and administration of the department)."

The following motion of Maulvi Hassan Ali was then put and lost:—

"That the demand of Rs. 24,82,000 under the head '34.—Agriculture' be reduced by Rs. 100 (failure to tackle agricultural problems, *e.g.*, teaching in scientific agriculture and controlling of commodity prices)."

The following motion of Kazi Emdadul Hoque was then put and lost:—

"That the demand of Rs. 24,82,000 under the head '34.—Agriculture' be reduced by Re. 1 (policy pursued by Government)."

3-30 p.m.

Maulvi NUR RAHMAN KHAN EUSUFJI: I beg to move that the demand of Rs. 11,05,000 under the head "34A.—Agriculture" be reduced by Rs. 100 (to draw attention to the havoc caused by water-hyacinth and the necessity of taking active steps for its suppression).

Mr. President, Sir, my object in bringing forward this motion is quite obvious. I want to impress upon the Government the urgent need of taking immediate active measure for the destruction of the water-hyacinth pest, which has been a menace to the agriculturists in rural Bengal for several years past. Sir, what a terrible amount of mischief and damage is caused every year by these obnoxious water-plants cannot be properly described here. Those of my hon'ble friends

who have either personal experience of mufassal life or know or keep informations about mufassal areas will, I may safely say, bear out what I say. Sir, as the time is passing on, these plants are growing in volume and the consequent apprehension of our poor agriculturists and those who depend upon the agricultural produce of their own khas lands for subsistence in life is also getting more and more acute.

Sir, in the dry season when there is no flood and the water level goes down these plants remain, somewhat, in a moribund condition. Most of these plants that get accumulated in the fields, of course, die out when the lands get dry and are put under cultivation. At the time of cultivation, too, a good deal of difficulty has to be undergone by the tillers and cultivators of the soil. The task of clearing the dry or semi-dry plants requires an additional amount of labour and industry on the parts of our peasants. The dry plants are burnt down and are sometimes used for manuring purposes after burning. But the little benefit that is thus derived is nothing in comparison with the loss suffered.

Sir, early in the rainy season, with the beginning of the freshet and the abundance of rain, new life is, as it were, inducted into these water-pests. And being thus invigorated these plants at once grow abnormally in volume and with the new rain or flood-waters they are found cheerfully floating or sailing, so to say, with the wind, in almost all the rivers, channels and water-courses in the mufassal. In the rainy season when the fields get over-flooded, these water-hyacinth plants easily get access to the fields and carry on their frightful depredations by destroying, almost wholesale, the crops of the poor cultivators. Attempts are of course made by the villagers to protect or save the crops; but almost everywhere these attempts prove to be of no avail. I personally know of many cases in which, in spite of all possible care and caution taken by the cultivators to protect their crops, that were offering a most hopeful prospect for the time being, crops were afterwards damaged by these ravaging plants.

Sir, the boat traffic also receives a great set-back on account of the existence of the water-hyacinth plants in the water-courses and water-passages. In the rainy season, when almost all parts of Eastern Bengal go under water, boats are the only means of communication in the villages. But sometimes the water-passages are found so blocked up by the existence of water-pests, that boat journey cannot conveniently be performed. Miles and miles together are often found so choked up with these plants that communication has had to be stopped in consequence.

Sir, I have related to the House some of the many mischiefs that this water-pest is doing. And to tell the truth, this water-hyacinth problem has been really one of the most serious problems in which

rural Bengal finds itself involved, at the present moment. Sir, to our utter misfortune and disappointment the Government is not paying any very serious attention to this question. Beyond holding certain conferences to solve this naughty problem, the Government is not known to have done anything tangible and practical in this direction. Some of my hon'ble friends of this House are reiterating year after year the urgency of taking active measures in this respect by the Government. But unfortunately, the Government is not coming forward with a bold front. To my mind, no haphazard way of doing things will do. The Government should come up with definite active measures, and, if necessary, with enactment to combat the situation. I appeal to the Hon'ble Minister in charge of the Department of Agriculture to rise equal to the occasion and do something at least for the suffering millions of rural Bengal.

With these few words I commend this motion to the acceptance of the House.

The Hon'ble Khan Bahadur K. G. M. FAROQUI: Sir, in reply to a question on the subject of Rai Sahib Akshoy Kumar Sen on 16th March, 1931, I placed before the Council a statement giving information as to the steps taken for eradicating the water-hyacinth pest. The question has also been discussed in the present session in connection with the demand of the Irrigation Department. The problem of combating the water-hyacinth menace has been engaging the attention of the Government for a long time————

[Here the time-limit under the head "34.—Agriculture" having been reached the Hon'ble Minister resumed his seat.]

The motion of Maulvi Nur Rahman Khan Eusufji was then, by leave of the Council, withdrawn.

The motion that a sum of Rs. 24,82,000 be granted for expenditure under the head "34.—Agriculture" was then put and agreed to.

The following motions under the head "34.—Agriculture" were not called owing to the expiry of the time-limit:—

Maulvi ABDUL HAMID SHAH: "That the demand of Rs. 11,05,000 under the head '34A.—Agriculture' be reduced by Rs. 100 (work of the officers in connection with the destruction of the water-hyacinth pest)."

Khan Sahib Maulvi BAZLUL HUQ: "That the demand of Rs. 11,05,000 under the head '34A.—Agriculture' be reduced by Rs. 10 (to call attention to the fact that up-till now nothing has been done to destroy the pest known as *ubra*)."

Khan Bahadur Maulvi AZIZUL HAQUE: "That the demand of Rs. 11,05,000 under the head '34A.—Agriculture' be reduced by Rs. 10 (to discuss jute forecast and jute policy)."

Maulvi MUHAMMAD HOSSAIN: "That the demand of Rs. 11,05,000 under the head '34A.—Agriculture' be reduced by Re. 1 (inability to deal with the question of jute production)."

Babu KHETTER MOHAN RAY: "That the demand of Rs. 11,05,000 under the head '34A.—Agriculture' be reduced by Re. 1 (to raise a discussion about appointment of a board for the improvement and development of jute industry and trade and for dissemination of necessary information amongst the cultivators)."

Dr. NARESH CHANDRA SEN GUPTA: "That the demand of Rs. 11,05,000 under the head '34A.—Agriculture' be reduced by Re. 1 (policy in relation to the Department of Agriculture, in particular with reference to the publication of erroneous jute forecasts and jute policy generally)."

Maulvi ABDUL KARIM: "That the demand of Rs. 11,05,000 under the head '34A.—Agriculture (Transferred)' be reduced by Re. 1 (incorrect statistics regarding jute published by the Agricultural Department as jute forecast)."

Khan Bahadur Nawab MUSHARRUF HOSAIN: "That the demand of Rs. 11,05,000 under the head '34A.—Agriculture' be reduced by Re. 1 (erroneous jute figures published as jute forecast)."

Maulvi ABDUL HAKIM: "That the demand of Rs. 11,05,000 under the head '34A.—Agriculture' be reduced by Re. 1 (negligence of the superintending staff in the propaganda work necessary for explaining the forecast of jute crops and other necessary information to the cultivators)."

Mr. SARAT KUMAR ROY: "That the demand of Rs. 11,05,000 under the head '34.—Agriculture' be reduced by Rs. 10 (to draw attention to the recommendation of the Royal Commission on Agriculture in India, 1928, of the necessity for making researches on animal nutrition)."

Maharaja JAGADISH NATH RAY, of Dinajpur: "That the demand of Rs. 11,05,000 under the head '34A.—Agriculture' be reduced by Rs. 10 (necessity of opening a centre for training people in co-operative agriculture)."

Mr. SARAT KUMAR ROY: "That the demand of Rs. 11,05,000 under the head '34A.—Agriculture' be reduced by Rs. 10 (to draw attention to the recommendation of the Royal Commission on Agriculture in India, 1928, of the necessity of investigating the possibilities of a development of the fish industry in Bengal, as an article of diet)."

Khan Sahib Maulvi BAZLUL HUQ: "That the demand of Rs. 11,05,000 under the head '34A.—Agriculture' be reduced by Re. 1 (desirability of agricultural banks in every subdivision)."

Haji BADI AHMED CHOWDHURY: "That the demand of Rs. 11,05,000 under the head '34A.—Agriculture' be reduced by Re. 1 (increase in the price of seeds and distribution of seeds)."

Maulvi SYED MAJID BAKSH: "That the demand of Rs. 1,20,000 under the head '34B.—Veterinary charges—Grant to C.S.P.C.A.' be reduced by Rs. 100 (to draw attention to the management of the Provident Fund of the Society)."

Maulvi SYED MAJID BAKSH: "That the demand of Rs. 1,20,000 under the head '34B.—Veterinary charges—Grant to C.S.P.C.A.' be reduced by Re. 1 (to draw attention to the fact that proper facilities are not given to the Muhammadan employees to say their daily compulsory prayers)."

MUNINDRA DEB RAI MAHASAI: "That the demand of Rs. 5,30,000 under the head '34B.—Veterinary Charges' be reduced by Rs. 100 (to draw attention to the inadequacy of the measures adopted for combating cattle diseases and preventing the inhuman practices called *phuka* in milch animals)."

Rai Bahadur Dr. HARIDHAN DUTT: "That the demand of Rs. 5,30,000 under the head '34B.—Agriculture—Veterinary charges' be reduced by Rs. 10 (affairs of the Veterinary School at Belgachia)."

Mr. SARAT KUMAR ROY: "That the demand of Rs. 5,30,000 under the head '34B.—Veterinary Charges' be reduced by Rs. 10 (to draw attention to the recommendation of the Royal Commission on Agriculture in India, 1928, for the provision of adequate veterinary aid in Bengal)."

Mr. SARAT KUMAR ROY: "That the demand of Rs. 5,30,000 under the head '34B.—Veterinary Charges' be reduced by Rs. 10 (to

draw attention to the need for paying more attention, in the syllabus of studies of the Bengal Veterinary College, to the breeding and rearing of the horned cattle, in addition to their treatment in diseases, and to the need for adding a section on breeding, rearing and diseases of poultry to the syllabus of studies of the abovementioned college)."

Khan Sahib Maulvi BAZLUL HUQ: "That the demand of Rs. 5,30,000 under the head '34B.—Veterinary charges' be reduced by Re. 1 (to draw attention to the failure to invent medicines for cattle diseases)."

Kazi EMDADUL HOQUE: "That the demand of Rs. 4,02,000 under the head '34C.—Co-operative Credit—Pay of Establishment—Inspectors and Auditors' be reduced by Re. 1 (insufficient Inspectors and Auditors)."

Kazi EMDADUL HOQUE: "That the demand of Rs. 13,580 under the head '34C.—Co-operative Credit—Grants to Co-operative Societies' be reduced by Re. 1 (rate of interest and repayment of the loans)."

Maulvi SYED JALALUDDIN HASHEMY: "That the demand of Rs. 8,23,000 under the head '34C.—Co-operative Credit' be reduced by Rs. 100 (inadequacy of provisions)."

Mr. NARENDRA KUMAR BASU: "That the demand of Rs. 8,23,000 under the head '34C.—Co-operative Credit' be reduced by Rs. 100 (Jute Societies)."

Maulvi HASSAN ALI: "That the demand of Rs. 8,23,000 under the head '34C.—Co-operative Credit' be reduced by Rs. 100 (to raise a discussion on Co-operative Credit Movement)."

MUNINDRA DEB RAI MAHASAI: "That the demand of Rs. 8,23,000 under the head '34C.—Co-operative Credit' be reduced by Rs. 100 (failure of the department in the speedy despatch of business with special reference to the unusual delay in dealing with some cases referred to the Registrar by the Bansabati Co-operative Bank Limited at Bansberia and also to draw attention to the vagaries of the department in the matter of appointments)."

Maharaja JAGADISH NATH RAY, of Dinajpur: "That the demand of Rs. 8,23,000 under the head '34C.—Co-operative Credit' be reduced by Rs. 10 (failure to develop the non-credit side covered by the Co-operative Societies Act of 1912)."

Kazi EMDADUL HOQUE: "That the demand of Rs. 8,23,000 under the head '34C.—Co-operative Credit' be reduced by Re. 1 (co-operative credit policy of Government)."

Rai Bahadur KAMINI KUMAR DAS: "That the demand of Rs. 8,23,000 under the head '34C.—Co-operative Credit' be reduced by Re. 1 (policy and the method of working of the Co-operative Department)."

Khan Sahib Maulvi BAZLUL HUQ: "That the demand of Rs. 8,23,000 under the head '34C.—Co-operative Credit' be reduced by Re. 1 (failure of the department to attend to the demand of the people to supply adequate funds and want of representation of areas)."

Khan Sahib Maulvi BAZLUL HUQ: "That the demand of Rs. 8,23,000 under the head '34C.—Co-operative Credit' be reduced by Re. 1 (failure of the department to improve the economic condition in the rural areas and failure to save rural people from the oppression by *mahajans*)."

Khan Sahib Maulvi BAZLUL HUQ: "That the demand of Rs. 8,23,000 under the head '34C.—Co-operative Credit' be reduced by Re. 1 (to press for the appointment of Moslems according to population basis)."

Khan Bahadur Maulvi AZIZUL HAQUE: "That the demand of Rs. 8,23,000 under the head '34C.—Co-operative Credit' be reduced by Re. 1 (to discuss the problem of agricultural credit, and review the working of the co-operative movement)."

Mr. MUKUNDA BEHARY MULLICK: "That the demand of Rs. 8,23,000 under the head '34C.—Co-operative Credit' be reduced by Re. 1 (immediate necessity of appointing more candidates from the backward classes for co-operative works in the rural areas)."

Maulvi ABDUL HAMID SHAH: "That the demand of Rs. 8,23,000 under the head '34C.—Co-operative Credit' be reduced by Re. 1 (general policy of the co-operative societies)."

Maulvi ABDUL HAKIM: "That the demand of Rs. 8,23,000 under the head '34C.—Agriculture—Co-operative Credit' be reduced by Re. 1 (improvement of co-operative societies)."

Maulvi ABUL KASEM: "That the demand of Rs. 24,82,000 under the head '34.—Agriculture' be reduced by Rs. 100 (neglect of agriculture in the province)."

Maharaja JAGADISH NATH RAY, of Dinajpur: "That the demand of Rs. 24,82,000 under the head '34.—Agriculture' be reduced by Rs. 100 (not taking serious steps to organise the agriculture of the province on co-operative lines)."

Khan Sahib Maulvi BAZLUL HUQ: "That the demand of Rs. 24,82,000 under the head '34.—Agriculture' be reduced by Re. 1 (to draw attention to the provision for pay of officers and inadequate provision for real work—supply of manures, seeds, demonstration work —want of district officers and demonstrators)."

Babu KISHORI MOHAN CHAUDHURI: "That the demand of Rs. 24,82,000 under the head '34.—Agriculture' be reduced by Re. 1 (question of starting an Agricultural Institution at Rajshahi as a part of the Rajshahi College with the endowment of late Kumar Basanta Kumar Roy of Dighapatia)."

Haji BADI AHMED CHOWDHURY: "That the demand of Rs. 24,82,000 under the head '34.—Agriculture' be reduced by Re. 1 (paucity of Muhammadan officers in the department)."

Maulvi MUHAMMAD FAZLULLAH: "That the demand of Rs. 24,82,000 under the head '34.—Agriculture' be reduced by Re. 1 (to express disapproval of the system under which the sum realised by duty on jute is utilised by the Calcutta Improvement Trust)."

Khan Bahadur Maulvi AZIZUL HAQUE: "That the demand of Rs. 24,82,000 under the head '34.—Agriculture' be reduced by Re. 1 (to discuss the tobacco policy)."

35.—Industries.

The Hon'ble Khan Bahadur K. C. M. FAROQUI: Sir, on the recommendation of His Excellency the Governor, I beg to move that a sum of Rs. 11,92,000 be granted for expenditure under the head "35.—Industries."

The estimates provide charges for Electrical Adviser and the Cinchona Plantations which are reserved subjects. In the Industries Department proper (transferred) a provision of Rs. 8,25,000 has been made.

As the House is aware, the province has been passing through a period of great financial stringency. Expenditure to the extent of Rs. 63,000 had in consequence to be curtailed during the current year while for the next year provision has been made for the bare minimum

necessary to carry on the normal activities of the department. In addition, a small provision has been made for the purchase of theodolites for the Bengal Survey School in order to facilitate training in that subject.

The activities of the department are under existing circumstances mainly directed towards the development of cottage and small industries, and it will be seen from the successive annual reports of the department that it has been doing all that it has been possible to do in these directions. It is now admitted that the tanning industry in the province has made striking progress in the course of the last few years, and there are reasons to believe that the institute has not had an inconsiderable share in achieving this result. Classes are now attached to the institute for imparting instructions in boot and shoe making for which no facilities were available hitherto. The scheme has been sanctioned for a period of three years as an experimental measure, and if the experiment proves a success, there is every possibility of the classes being continued on a permanent basis. It is gratifying to note that the department has provided facilities for the training of young men in the manufacture of bar and moulded soap on cottage industries lines. It is interesting to find that most of the young men trained have either established soap factories of their own or are associated with the industry in some shape or other. Further, the department was able to provide for the training of two apprentices at the Bengal Chemical and Pharmaceutical Works, Ltd., in the distillation of coal-tar and the manufacture of antiseptic dressings.

Out of the total grant of Rs. 8,25,000, as much as Rs. 5,60,000 is devoted to the cause of industrial education. The progress of technical education in all its branches during the year under review has been marked.

With these words, Sir, I commend the motion to the acceptance of the House.

The following motion was called but not moved:—

Mr. P. N. GUHA: "That the demand of Rs. 1,47,000 under the head '35A.—Industries (Transferred)—Direction' be reduced by Rs. 100 (about the work done in the Department of Industries)."

MUNINDRA DEB RAI MAHASAI: I beg to move that the demand of Rs. 89,000 under the head "35A.—Industries (Transferred)—Industrial Development" be reduced by Rs. 101 (to raise a discussion on the necessity of the development of cottage industries on co-operative basis and to urge on the Government of Bengal to have its stores purchased through the Department of Industries with a view to encourage the growth of Indian industries).

Mr. President, Sir, cottage industries are an important feature in the industrial life of India. Skill and efficiency still survive in some of the old industrial arts. Some industries though conducted on small scale in accordance with old methods, still continue and exhibit remarkable vitality. It is a matter for congratulation that they tenaciously hold the ground in the face of modern machineries and mass production.

In Chapter XVII of the Industrial Commission's Report, I find that the Commission was strongly impressed with the urgent necessity of taking active steps for improving the position of the cottage industries by providing suitable training for artisans, by affording financial help and by arranging for the marketing of their products. The success of the Japanese industries is due to the attention paid not only to the education and technical training of cottage workers but to the organisation of the sale of their products throughout the world. The Commission wanted Government and merchants in India to follow these methods so as to place the indigenous cottage industries on a more satisfactory footing. The preservation of the ancient handicrafts is a matter of urgent importance not only in the interests of those who depend on them for their livelihood but also for the sake of ancient culture, indigenous arts and the social and economic welfare of the people. It should never be left to the tender mercies of the forces of foreign competition and modern industrialism.

Sir, the Indian poverty problem is to be envisaged as a question of unemployment on a vast scale. It is not so much the resultant of iniquities in the distribution of wealth as to the want of creative occupations. Sir, the problem of unemployment of our young hopefuls is becoming more and more acute. The education so long imparted in the universities has helped to make the Bengalees a nation of clerks. Had the Government opened industrial colleges and gave up-to-date scientific industrial training to our young men, the outlook of the country would have been quite different. The European mercantile community who have monopolised the trade and industries of Bengal, have not cared to afford facilities to our young men to become industrial experts but only engaged them as clerks to run their offices. In other civilised countries of the world, the State has taken the lead in the development of huge productive industrial concerns and have organised all sorts of combines and trusts and cartels and other organisations for marketing their industrial products not only within their own territory but also in foreign lands while here our Government rests content simply with an idea of developing some of the small industries and reviving some of the decadent village industries of Bengal.

Sir, the Department of Industries exist for the development of the industries of Bengal. But the amount allotted to it is ridiculously low.

Again, the major portion of it is absorbed in the maintenance of a high-salaried staff of officers—directors, inspectors, technical experts, chemists, engineers, superintendents, etc. And what do they do? It is all shrouded in mystery—at least they have not been able to make their presence felt to the public at large. They move and have their being within the narrow groove where their activities are confined. I have carefully gone through their reports. They have been admirably written, but, I am sorry, I failed to draw therefrom any hope for the future.

3-45 p.m.

Sir, I think the social and ethnic conditions in this country favour co-operation and the growth of industrial life through its influence. My idea is to seek to develop industries and to create industrial habits in my countrymen through the agency of the co-operative movement. It is needless to add that co-operation is being fully utilised in progressive countries of the west as a mighty agent for the development of large trade concerns. Moreover, it is a matter of common experience that a movement for the establishment of an industrial co-operative society cannot so readily appeal to, or get such a prompt response from, people in general as does the proposal for founding a co-operative credit society for granting loans of money. I, therefore, suggest the idea of an industrial co-operative institution to be run as an integral part of every co-operative credit society in existence in the country. It shall be compulsory for each member of the latter to be a member of the former. But we shall not be so exacting as to demand that every member of the new industrial organisation must weave and spin or devote himself to some industrial pursuit for a certain period of the day as a matter of routine duty. He may not have the time or the inclination to do so. But we shall not allow any one to make this an excuse for not being a member of the industrial society, or keep himself aloof from the industrial movement. We must have his moral support and pecuniary help. He must show his sympathy with the cause by buying goods produced by the labour of his fellow members.

Our credit society should be the chief instrument in building up the proposed industrial institution which, as I have already said, will be part and parcel of the former. From all its members, the co-operative society should realise as their subscription to the industrial branch, a sum of, say, four annas, or so per head every year—an amount too paltry to be grudged. The total money collected on this score *plus* any contribution received, by way of help, from the co-operative credit society, out of its annual profits, if of course its funds permit, should be spent wisely so as to revive and encourage dying industries and village manufactures, to foster industrial habits and instinct among the members in general and among backward classes and rural population

in particular and moreover to help all people in their industrial activities as best as possible. Practical experts may be appointed to train, where necessary, the families of the members in home industries and useful handicrafts. These trainers may be deputed for allotted period in a year to different areas. Once some members are trained in various industries, other members, living close by, may learn different arts and crafts according to their tastes from those already trained, and thus the services of the teacher expert may be spared and lent to comparatively backward areas for longer periods. Moreover, for the fulfilment of its mission, the proposed industrial department of the co-operative society will keep a good stock of tools, machinery and raw materials for supply to its constituents at a nominal profit. It will seek to be in touch with the market through experts and will either buy up all the articles manufactured by its members or undertake the responsibility of selling them wherever necessary. The department will also grant loans of tools, raw materials and other articles on a hire-purchase system; and these loans may be made repayable by means of manufactured articles equivalent in price to the value of raw materials or things supplied to individuals concerned. Loans of money granted by the co-operative credit society may be likewise made repayable by means of manufactured goods through the intervention of the industrial department by "book-transfer" process.

Apart from the town or village industrial societies, there may be a district head office to serve as the connecting link between the urban and rural branches within its jurisdiction, and above all of them, there may be one central industrial organisation in Calcutta or there may be even two, one in Calcutta and the other at Dacca. The articles manufactured in each unit may be locally disposed of or may even be distributed among the members on the interchange basis. The surplus stores left after local consumption may be sent up to the district office, where they may have a wider market among non-members or may be utilised to meet the shortage of supply in the different sub-branches within the district. The residue of stores from the different district offices may be collected in the central office in Calcutta, where the goods may have a still wider market among non-members and may also be utilised for inter-district distribution according to demand.

Such is my scheme for the industrial co-operative society in broad outlines. I may be wrong here and there in details and the scheme may have defects. Still all these may be set right, and the general frame-work improved upon if the fundamental plan is accepted.

One feels confident that if the project just outlined regarding the industrial co-operative society to be run as part and parcel of the co-operative credit society is carried to fruition, it will have far-reaching effects. To begin with, there will be an addition of a highly beneficial side-line to the usual routine of work of our co-operative credit societies

which will heighten the latter's usefulness, and moreover by improving the financial position of individual members will improve the position of the co-operative societies themselves, in many of which we are told the list of defaulters is running to a staggering length. The scheme, if given effect to, will spread smile and sunshine in many a dark and melancholy home. It will provide employment for the unemployed, bring relief to the middle-class *bhadralok* families by affording them industrial facilities and enabling them to supplement their limited income by means of industrial pursuits resorted to during leisure hours, and last though not the least, it will go a long way towards ameliorating the condition of the peasantry and the poor working classes. "While agriculture is the main industry of the country, that alone cannot keep the cultivators occupied throughout the year" observed the Agricultural Commission which recommended that "some occupation should bo found for their spare time." Again, in their resolution on the Administration Report of the Department of Industries for 1929-30, the Government of Bengal observed: "Another way of assisting the village artisans is to extricate them from debt—the last but not the least form of assistance that can be rendered to the development of cottage industries is to create a market for them." I think my scheme just outlined will cover the whole ground and meet all these desiderata. It will be an effective means of fighting the *moloch* of acute economic distress that proudly stalks over the land, victimising millions of struggling souls, marring their joys and sucking their life-blood. Yet, all the same, the scheme is simple and easy of operation, involving as little expenditure as possible either on the part of Government or of the people.

In conclusion, I should like to point out that it is the duty of a civilised Government to help the indigenous industries in every possible way and the Department of Industries will do some real work to the country if the Government purchase their stores through them.

With these few words, I commend my motion to the acceptance of the House.

Mr. PRESIDENT: There are two other motions which, I think, may be discussed along with this, namely, motions Nos. 748 and 752. They deal with the same subject.

The following motions were then called but not moved:—

Maulvi SYED JALALUDDIN HASHEMY: "That the demand of Rs. 11,92,000 under the head '35—Industries' be reduced by Rs. 100 (inadequacy of grants and particularly for not encouraging home industry, particularly *khaddar*)."

Khan Sahib Maulvi BAZLUL HUQ: "That the demand of Rs. 11,92,000 under the head '35.—Industries' be reduced by Re. 1

(to show that nothing has yet been done for expansion of home industries and that this top-heavy department utterly failed to render any help to agricultural Bengal for its uplift)."

Dr. NARESH CHANDRA SEN GUPTA: I wish to draw the attention of the Hon'ble Minister not to any idealistic scheme nor to any very imaginative programmes in connection with the development of cottage industries of Bengal—I do not want to talk over his head in any manner whatsoever—I would like to draw attention to the enormous possibilities of the cottage industries of Bengal as was illustrated during the Great War. Well, during the Great War when our supplies of numerous commodities from outside were considerably curtailed, the Government found it to their interest to develop the local industries. For the purposes of war alone the Government wanted many things which had not been produced in this country in adequate quantities. An intensive investigation was started with a view to finding out how much could be produced by cottage industries. For instance, I was asked—I was at that time connected with the Home Industries Association at Dacca—to find out means for producing an impossible quantity of cloth to be woven by the weavers of the Dacca district. Well, that impossible quantity was not produced, but the enormous quantity which was produced was found very much in excess of what is ordinarily produced there. I was asked to find out whether all the buttons wanted by the soldiers could not be produced in Dacca and it was surprising how the Dacca button manufacturers supplied the Munitions Department with an enormous quantity of buttons—some of them were excellent buttons—and a new industry was developed and developed to a high state of prosperity. Well, Sir, I have no doubt that the people in other parts of the province would be able to bring forward instances of similar development. There was a lot of development in the weaving industry in the district of Bankura, for instance. During that time efforts were also made to find out how far the hand-loom industry of Bengal could supply the needs of the people in a much greater measure than what they do now. Government appointed a small committee to investigate the matter as to how the hand-loom industry could be helped. The small committee consisted of Mr. Hoogewerf, Mr. Everett, then Superintendent of Technical Education, and myself. We went into great details very thoroughly and we made a report which was placed in the hands of the Government of the province. It made very effective proposals for putting the weaving industries on a satisfactory footing and the report was nothing like imaginative, but very practical. Unfortunately for the weavers of Bengal, however, the War stopped just then and the Government went to sleep over it. I shall be surprised if the Hon'ble Mr. Faroqui has ever heard of that report. It is perhaps rotting in the upper shelves of the Secretariat and that has happened to most of the projects which

were brought forward for the development of many of the cottage industries in Bengal. This gives a complete illustration of what could be done by Government efforts and Government organisation. Well, cannot the Government do now half of what they did at that time? Cannot they devise any measure for developing the cottage industries, other than the fanciful schemes which have been formulated in the State Aid to Industries Bill? All that is wanted is that Government should provide marketing facilities for these industries. If the Hon'ble Mr. Faroqui ever comes across the report to which I have referred, he will find that if the handloom weavers were furnished with marketing facilities for all their produce, they would thrive for they work for about half the year and have to wait to sell their goods during the rest of the year. You might give further assistance to the handloom weavers by providing for labour-saving appliances. It is easy to provide such centres for work which would help them greatly. Where there are 500 or 1,000 weavers Government should establish a centre in which the preliminary work before weaving could be done and ready-made beams supplied to the men, so that the work of the weavers could be reduced considerably. The number of days spent in weaving a *sari* and *dhoti* will be considerably reduced and that will enable the weaver to sell his goods in the open market as cheap as possible. There are numerous ways in which these industries could be helped, not necessarily by Government giving assistance but by Government taking initiative and in organising industries and providing marketing facilities. I know that the Registrar of Co-operative Societies who is here will point out that the depôt started by the co-operative societies at Harrison Road is there. I know the history of this depôt, and I know how a depôt was first started by the Home Industries Association, and how it was found to be inadequate and co-operative workers pressed for a central depôt. It is doing good work, but I ask—is it pretended that this is enough to provide for the needs of the whole of Bengal? I do not think that the Hon'ble Minister will have the courage to say anything of the kind.

4 p.m.

I do not suppose that even the Hon'ble Minister will have the courage to say that he considers it anything like adequate. If proper facilities are provided to the weavers for marketing they can clothe the whole of Bengal without the assistance of a single weaving mill. If only facilities are given in the way of labour-saving appliances and in the way of marketing facilities then these weavers would have a prosperous existence. This may also be said for the numerous other industries. I have had the honour of investigating a number of small industries in Dacca and found that all of them had possibilities of development and some of them had developed tremendously during the

War. When Government sets itself to organise an industry it does not mean that they should give it financial assistance; they can help it by simply taking a hand in its organisation. My point is this, and as an illustration of what Government interest might have done to develop the home industries, to show how the moment they take a hand in the development of industries the workers have recovered from the precarious condition in which they were. I would like to know from the Hon'ble Minister if he has anything like a programme with regard to the development of cottage industries. At any rate we do not see anything of it in the publications of the Government. The little that has been done has been done by the co-operative societies, of which I have a very high opinion and in the few industrial societies, some of which I have in a small way helped to develop or at least to establish. But enough has not been done for the development of cottage industries. I want to know if the Government is quite satisfied with going to sleep over the small achievement in the Co-operative Department. I know that the department is doing some good work but consider the enormity of the problem and the trivial character of what has been done. Is there anything in all that to be satisfied about? Wake up, make up your minds to act and really act for the development of the industries of the province and do not merely try to make things presentable by producing attractive figures by mere window dressing. That is what I hate and what I want is that there should be a real earnestness and desire to develop the industries of this province.

Mr. E. T. McCLUSKIE: I have listened with great interest to the last speaker and other speakers. But from what I have heard both in the debate on agriculture and industries it seems to me that most of the speakers want Government to do everything. I feel that the people of Bengal, especially the richer people of Bengal, should get together and start co-operative societies and show Government what is to be done, whereas most of the time they are asking Government to do this, that and the other. We know the income of Government is not very much. My suggestion to this House is that there are lots of people in Bengal who have got money and a large number of them, I mean the big zamindars, have also got enough time. If only they will look after their tenants and get together and start co-operative societies and not leave so much to Government, Bengal will be the first province in India if there is co-operation between them.

The Hon'ble Khan Bahadur K. G. M. FAROQUI: Sir, the issues raised by my friend Munindra Deb Rai Mahasai are two—

(1) development of cottage industries on co-operative lines, and

(2) purchase of Government stores through the Industries Department.

As regards the first point, I may state at once that it is the accepted policy of Government that cottage industries can best be developed on co-operative lines, and action is being taken in this direction so far as possible. The instruction imparted through the agencies of the 26 peripatetic weaving schools and weaving demonstrations, and the two training demonstration parties as also the demonstrations organised by the department in connection with soap and shellac industries are to stimulate the organisation of these industries on co-operative lines.

As regards the second part of the motion, namely, purchase of Government stores through the Industries Department, I would point out that in the main it merely states the accepted policy of Government. Further, rules framed by Government in this respect in fact require preference to be given to articles produced in Bengal. The rules provide for the scrutiny of indent by the Director of Industries in order that he may suggest means of obtaining the articles locally, if possible.

In view of these explanations, I trust my friend Munindra Deb Rai Mahasai will withdraw his motion.

The motion of Munindra Deb Rai Mahasai was then, by leave of the Council, withdrawn.

The following motion was called but not moved:—

Maulvi SYED JALALUDDIN HASHEMY: "That the demand of Rs. 2,55,000 under the head '35A.—Industries—Grants-in-aid' be reduced by Rs. 100 (retrenchment in the Calcutta Technical School)."

Mr. P. N. GUHA: Sir, I beg to move that the demand of Rs. 5,60,000 under the head "35A.—Industries (Transferred)—Technical and Industrial Education" be reduced by Rs. 100 (working of Calcutta Technical School).

It will be seen that my object in moving this motion is to raise a discussion on the working of the Calcutta Technical School. I hold that the management of the school is not satisfactory and after tabling this motion I discussed the whole question very carefully with the Hon'ble Minister. I am glad to be able to tell the House that Mr. Faroqui has taken notice of all that I have told him and has given me an assurance that he will go into the matter very thoroughly.

Sir, in this connection I may tell the House that at one time the Calcutta Corporation made a recurring grant of Rs. 20,000 annually to the school and of its four representatives on the governing body of the school I was one. We were definitely of opinion that the school was not being managed properly and the Corporation discontinued the grant. Now the assurance given by the Hon'ble Minister has induced us in the

Corporation to renew the grant and a resolution on this behalf is going to be passed at 5 p.m., to-day. Sir, I will not press the motion if Mr. Faroqui repeats the assurance given to me privately.

The following motion was called but not moved:—

Babu JITENDRALAL BANNERJEE and MUNINDRA DEB RAI MAHASAI: "That the demand of Rs. 7,96,000 under the head '35A.—Industries (Transferred)' be reduced by Rs. 101 (to draw attention to the mismanagement of the Calcutta Technical School and raise a discussion)."

The Hon'ble Khan Bahadur K. G. M. FAROQUI: Sir, the Calcutta Technical School is a non-Government institution under the management of a governing body and Government have nothing to do directly with its internal working. Government, however, give a substantial grant-in-aid towards the maintenance of the school and have provided accommodation for it. The present position in regard to the Calcutta Technical School is that the Government grant which was originally made for a term of six years will terminate on 31st March, 1931. This grant was sanctioned on the definite understanding that the whole position would be reviewed on the expiry of the present term and the question of future grants to the school is accordingly awaiting the decision of Government. The governing body of the school have since submitted a working scheme for the continuance of the school during 1931-32 which is now under examination. My friends may rest assured that Government will review the whole position including the present working of the school before deciding what grant, if any, should be given next year. I trust that in view of this assurance, the motion will be withdrawn.

The motion of Mr. P. N. Guha was then, by leave of the Council, withdrawn.

The following motions were called but not moved:—

Kazi EMDADUL HOQUE: "That the demand of Rs. 7,96,000 under the head '35A.—Industries (Transferred)' be reduced by Rs. 100 (not declaring the office and the ministerial establishment of the office of the Bengal Tanning Institute permanent or bringing the same on a permanent basis)."

Mr. P. BANERJI: "That the demand of Rs. 11,92,000 under the head '35.—Industries' be reduced by Rs. 101 (to raise a discussion about the policy and administration of the department)."

Maulvi HASSAN ALI: "That the demand of Rs. 11,92,000 under the head '35.—Industries' be reduced by Rs. 100 (policy with regard to industries of Bengal)."

Dr. NARESH CHANDRA SEN GUPTA: I beg to move that the demand of Rs. 11,92,000 under the head "35.—Industries" be reduced by Re. 1 (policy and inadequacy of expenditure).

I only formally move my motion and the reasons for it are as given above.

The following motions were called but not moved:—

Kazi EMDADUL HOQUE: "That the demand of Rs. 11,92,000 under the head '35.—Industries' be reduced by Re. 1 (general policy of Government)."

Babu SATYENDRA NATH ROY: "That the demand of Rs. 11,92,000 under the head '35.—Industries' be reduced by Re. 1 (development of indigenous industrial resources)."

The Hon'ble Khan Bahadur K. G. M. FAROQUI: Sir, the activities of the department are at present directed mainly towards the development of cottage and small-scale industries. The Royal Commission on Agriculture has brought into prominence the well-known fact that while agriculture is the main industry of this country, that alone cannot keep the cultivators occupied throughout the year, and that with a view to improving their economic condition some occupation should be found for their spare time. As suggested by the Commission (and as also emphasised by the Industrial Commission more than a decade ago) manufacture on cottage industry lines is the most useful spare-time occupation for this class of people. The home industries of this country have a tradition of their own, and as observed by the Indian Industrial Commission, 1916-18, they have so far generally stood successfully against the intense competition of factory products, foreign or Indian. But in order to make the position of these domestic industries secure against factory competition, the main thing necessary is the substitution of primitive methods by modern processes. This is one of the lines on which the Government Industries Department is assisting the development of home industries. Another direction in which the activities of the department are being usefully directed for the improvement of the condition of village artisans is to educate them on modern lines so far as village manufacture is concerned. They are proverbially conservative and lacking in ambition. Unless and until it can be brought home to their minds by simple methods of teaching and more effectively by ocular demonstration that the adoption of modern methods of manufacture will save their labour and time they can hardly be expected to give up their primitive methods to which they have been wedded for generations past. Another way of assisting the village artisans is to extricate them from debt. The only possible way in which this can be done is by the formation of co-operative credit societies.

A good beginning has been made in this direction with the help of the Co-operative Department. The last but not the least important form of assistance that can be rendered to the development of cottage industries is to organise a market for them. Here again, the formation of co-operative sale societies is the most effective solution, and the department has already taken up this question also with the assistance of the Co-operative Department.

In spite of all that has been said to-day, I think, Sir, that it may be fairly claimed on behalf of the department that it has been doing the most possible with the money available. Steady progress is being made in the development of cottage and small-scale industries, and when the State Aid to Industries Bill is passed, the department will be in a position to stimulate further the development of cottage and small-scale industries. In the meantime, a central sale depôt has been opened in Calcutta for the marketing of the products of cottage industries whether organised on a co-operative basis or not.

I regret that a larger provision could not be made for the department next year. But in the present state of provincial finances, I trust it will be generally conceded that this could not be helped.

The motion of Dr. Naresh Chandra Sen Gupta was then put and lost.

4-15 p.m.

The following motions were called but not moved:—

Khan Sahib Maulvi BAZLUL HUQ: "That the demand of Rs. 11,92,000 under the head '35.—Industries' be reduced by Re. 1 (to press for opening industrial schools in every district)."

Khan Sahib Maulvi BAZLUL HUQ: "That the demand of Rs. 11,92,000 under the head '35.—Industries' be reduced by Re. 1 (to urge the necessity of creating sufficient number of State scholarships for training in foreign countries)."

Haji BADI AHMED CHOWDHURY: "That the demand of Rs. 11,92,000 under the head '35.—Industries' be reduced by Re. 1 (paucity of Muhammadan officers in the department)."

Maulvi MUHAMMAD FAZLULLAH: "That the demand of Rs. 11,92,000 under the head '35.—Industries' be reduced by Re. 1 (to criticise the policy under which the tax utilised by duty on jute instead of being spent for the jute industry is utilised for the improvement of Calcutta)."

The motion that a sum of Rs. 11,92,000 be granted for expenditure under the head "35.—Industries" was then put and agreed to.

37.—Miscellaneous Departments.

The Hon'ble Mr. A. MARR: On the recommendation of His Excellency the Governor, I beg to move that a sum of Rs. 2,49,000 be granted for expenditure under the head "37.—Miscellaneous Departments."

The following motions were called but not moved:—

MUNINDRA DEB RAI MAHASAI: "That the demand of Rs. 1,58,000 under the head '37A.—Inspector of Factories' be reduced by Re. 1 (to urge that the section of Inspectors should be under the Department of Industries)."

Haji BADI AHMED CHOWDHURY: "That the demand of Rs. 2,49,000 under the head '37.—Miscellaneous Departments' be reduced by Re. 1 (paucity of Muhammadan officers in the offices of the Inspector of Factories and Smoke Nuisances Commission)."

The motion that a sum of Rs. 2,49,000 be granted for expenditure under the head "37.—Miscellaneous Departments" was then put and agreed to.

41 and 60.—Civil Works.

The Hon'ble Khan Bahadur K. G. M. FAROQUI: Sir, on the recommendation of His Excellency the Governor, I beg to move that a sum of Rs. 94,57,000 be granted for expenditure under the heads "41.—Civil Works" and "60.—Civil Works not charged to Revenue."

It will appear from the budget estimates for 1930-31 that the estimated expenditure inclusive of establishment charges was Rs. 1,14,36,000 while the revised estimate for that year has been placed at Rs. 1,13,01,000. The amount, *viz.*, Rs. 94,57,000, which the Council is now asked to vote shows a decrease of Rs. 18,44,000 compared with the revised estimate which is mainly due to the reduced provision made for new major and minor works as well as works in progress in the next year's budget.

It is proposed to spend Rs. 22,500 on works for Reserved subjects under the head "Original Works—Civil Buildings" and Rs. 11,56,804 on works for Transferred subjects. The items of works are specified in the Civil Works budgets circulated to the members of the Council.

The amounts provided for reserve for minor works under the various departments are intended for works costing small amounts in connection with buildings occupied by the various departments. These works are generally within the power of sanction of the respective heads of departments.

For "Communications" no provision has been made under "Reserved," while Rs. 22,67,646 which includes Rs. 15,68,000 for Road Development Fund works have been provided under the head "Transferred." The items of works are detailed in the budgets.

Under the head "Repairs," Rs. 3,32,000 is provided for Reserved departments and Rs. 40,00,000 for Transferred departments as compared respectively with the revised estimates of Rs. 3,46,000 and Rs. 39,90,000 for the current year.

Under the head "Establishment," the ensuing year's estimate has been placed at Rs. 13,24,000 as against the revised estimate of Rs. 13,00,000. The increase allows for increments that will be earned by officers and staff.

Rupees 4,000 and Rs. 90,000 have been provided for "Tools and Plant" under the heads "Reserved" and "Transferred" respectively against Rs. 4,000 and Rs. 1,00,400 in the revised estimate for the current year.

Under "Grants-in-aid" a provision of Rs. 2,59,000 under the Transferred head has been made against Rs. 2,54,000 in the revised estimate for the current year, the details of which will be found in Part VI of the Public Works budget.

With these words, I beg to commend the motion to the acceptance of the House.

The following motion was called but not moved:—

Rai Bahadur KESHAB CHANDRA BANERJI: "That the demand of Rs. 9,49,804 under the head '41A.—Civil Works—Transferred—Original Works—Buildings' be reduced by Rs. 100 (absence of provision for extension of civil court buildings at Dacca, inclusive of electric installation)."

Babu SATYENDRA KUMAR DAS: I beg to move that the demand of Rs. 9,49,804 under the head "41A.—Civil Works—Transferred—Original works—Buildings" be reduced by Rs. 100 (absence of provision for the extension of the civil court buildings at Dacca inclusive of electric installation).

Mr. President, Sir, in moving the motion standing in my name I would submit, that it may be within the recollection of this House, that while discussing the budget for the year 1930-31 on the 28th March last year, in reply to Rai Bahadur K. C. Banerji's motion on the very subject, Mr. G. P. Hogg said that a sum of Rs. 10,000 was provided in the budget (presumably for collection of materials) for the proposed extension of civil court buildings at Dacca as in the absence of bricks he could not expect that any progress would be made with the actual

building until this cold weather. He also assured that probably the rest of the money would be provided in the budget this year. It was evident from his reply that the securing of bricks at Dacca during the rainy season was practically impossible. As a resident of Dacca having a thorough knowledge of the Public Works Department and local conditions there, I may assert that there was no dearth of bricks at Dacca during the last two years. It was not a difficult task for the Public Works Department to secure the same, they having their own brickfields, where bricks were being manufactured for Government works. If Government cared to proceed with the work they could have done so long ago without resorting to the plea of lack of bricks.

In view of these facts I regret very much to find that Mr. Hogg sounded a wrong note about the dearth of bricks at Dacca. Sir, I am sorely disappointed to find that in spite of the assurances held out last year, no money has been provided in the current year's budget for carrying out the work of extension of the civil court buildings at Dacca. Indeed this extension is so very urgent that any delay in taking up the work of construction is causing inconceivable hardships and financial loss alike to the legal practitioners and litigant public of Dacca, as the rented houses in which the munsifs' courts are now located are far away from the main court buildings and the Bar library, which undoubtedly is a source of great inconvenience to the public. Last year Rai Bahadur K. C. Banerji emphasised the extreme urgency of the case and was, I think, able to impress the House that the present court buildings which were constructed 65 years ago could not accommodate all the courts and hence they badly required extension. It is a matter for deep regret that while money is not wanting for meeting other costs of administration, the Government should put off these extension works on some pretext or other.

I therefore commend my motion to the acceptance of the House.

The Hon'ble Mr. W. D. R. PRENTICE: I am sorry I was not present throughout when the hon'ble member was speaking on his motion regarding the extension of the civil court buildings at Dacca. Had he told me he was going to move it I would have made it a point to be present. However I may say that this is a project, the importance of which is fully appreciated in the Judicial Department, in fact, speaking from memory I think it stands at the top of the list. But like many other schemes in Bengal it is hung up for want of funds. It has been considered by the Government of Bengal and sanctioned, but at present there is no money to carry it out. I can assure the hon'ble member that as soon as we can find the money for this court building this scheme will be given its proper place in the budget.

The motion of Babu Satyendra Kumar Das was then, by leave of the Council, withdrawn.

Khan Bahadur Maulvi AZIZUL HAQUE: I beg to move that the demand of Rs. 15,68,000 under the head "41A.—Civil Works—Communications—Road Development Fund Works" be reduced by Re. 1 (to draw attention that the constitution of the Provincial Road Board should be so modified as to give elective representation of the Legislature).

I do not want at this stage to enter into a controversy in this matter but I would draw the attention of the Hon'ble Minister at the time when provincial legislation comes to the point of entering into a new lease of life, that some provision will be made so that the Provincial Road Board may have some representatives of the legislature on it. I certainly do consider that this is a matter which is of paramount importance to the province. The All-India Road Board has representatives from the Assembly and from every province on it, and I think following the same principle the Provincial Council should find a place on its own Road Board. I do not want to say anything more at this stage but I would draw the attention of the Minister to the fact that there is much scope for improvement in respect of this representation on the Board.

The district boards also have complained about this matter and I think it is quite possible for all the 25 district boards to elect two or three persons from among themselves who can look after their own interests. There are many questions regarding each division or district and questions like this should not be discussed from the point of view of one division or one district alone but should be approached from a general standpoint. It is a fact that the Provincial Road Board has not unlimited funds and as such they cannot possibly be expected to take up all schemes, but when there are many representatives, each can look after its own particular district, and schemes can be taken up one after another. If it is possible to have representatives from each district board, then it cannot be said that some individual interest has been left out. I would therefore ask the Hon'ble Minister to pay some attention to this matter, and increase the representation on this Provincial Board.

4-30 p.m.

Mr. A. F. RAHMAN: I speak with a certain amount of hesitation for so little is known about the function and proceedings of the Provincial Road Board. The importance of good communications was so keenly recognised that it led to the appointment of a powerful all-India committee and a tax on petrol. Yet, somehow all this agitation has ended in departmental files and papers and most likely roads are

being made on paper. We have not been told on what principles the allotment of Bengal is made, and on what principles the Bengal Board distributes the amount. We were told some time ago that the committee considers the relative merits of different claims and then apportions money. Are the district boards of Bengal invited to send their suggestions? Roads must be either economic or strategic. They must be driven through areas which are still inaccessible and which opened up will bring wealth to the people, or they must link up important strategic points for the better protection of citizens. Are these considerations kept in view when the Road Board sanctions money for a proposal? I think it was Mr. Travers who made the suggestion that the important *kucha* roads feeding the Grand Trunk Road might be taken in hand first. That was an excellent principle for the large volume of trade flowing through the Grand Trunk Road is well known and Mr. Travers' proposal, if accepted, would have meant speedier and larger facilities—and more money. A programme like this spread over a period of years would have justified the creation of the Road Board. Then again, Sir, on what principle is money allocated? I suggest, Sir, that the contribution of a district towards the Road Fund, should be an important consideration. Take the case of Jalpaiguri. I believe I am right in saying that next to Calcutta it pays the largest amount of petrol tax, in addition to a large income-tax from the profits of tea. Yet Jalpaiguri has been ignored. We have been agitating and appealing for an alternative route to the tea area, but all to no purpose. The little railway that links up this area with Calcutta is subject to the mercy of earthquakes and floods and this important Indian industry is dependent on this railway. Also for months in the year the headquarters of the district is practically cut off from the tea area on account of the violence of the Teesta. All these do not require recapitulation; they have been pressed over and over again; and it does not seem fair that a district that makes such a handsome contribution and promises to increase it still more, should get no relief at all.

How again is the Board constituted? Would it not be possible to have the chairmen of district boards by rotation, so that every one has an equal chance of representing his case before the Board? Khan Bahadur Azizul Haque has already discussed it with lucidity and force. I do not wish to add to them—all that I desire to repeat is that the increasing use of motor transport pointed the way to a more rapid economic development of the country and therefore the necessity of well-made and well thought-out roads. That fact should never be forgotten.

At 4-35 p.m. the Council was adjourned for prayer and it reassembled at 4-50 p.m.

Mr. PRESIDENT: I might announce that after the guillotine has fallen on all these items we shall have to deal with one demand for supplementary grant and amendments in respect of that, and 1½ hours have been allotted for its discussion.

The Hon'ble Mr. BIJOY PRASAD SINGH ROY: Sir, at the outset I would like to say that the Road Board as constituted at present is functioning very well, and I do not think that it would in any way improve its efficiency if this Council is made the electorate of the Road Board. One district board from each of the five divisions of the province is represented on the board. There are representatives of the different railways and representatives of the Automobile Association. So I do not think that it will in any way improve the efficiency of the Board if instead of the present businesslike body we have a big and unwieldy Board as it will apparently be if the suggestions of my friend Khan Bahadur Maulvi Azizul Haque are followed. There was a preliminary discussion with the representatives of the local bodies, before the 5-years programme, which included 12 roads, was first adopted. Of course, if it is the desire of this House that there should be special representatives of this Council on the Road Board, Government may consider the proposal of appointing one member from the Public Works Standing Committee and one member from the Local Self-Government Standing Committee on the Road Board but I may say that already there are several members of this House on the body.

As regards the criticisms of my friend Mr. Rahman about the principle followed by the Board in allocation of funds, I may say that as a matter of fact the Road Board does not allocate any fund. The Road Board simply advises the Government of Bengal as regards the programme and allocation of funds, and its advice and proposals are forwarded to the Government of India who are the final arbiters of the matter. There was the programme for 5-years to spend about Rs. 50 lakhs on 12 roads. The Government of India accepted the proposal about 11 roads. Now we find that at the end of the fifth year there may be a surplus of Rs. 10 lakhs, and to spend that surplus the Road Board is considering the proposal of expanding their programme and including one or two new roads, specially the north to south road which will remove the grievances of my friend Mr. Rahman. Besides the proposed inclusion of this north to south road, I may remind the House that the Government of Bengal during last few years spent nearly Rs. 40 lakhs on the roads of Jalpaiguri district. So, there is absolutely no ground for the grievance that Government is neglectful of the interests of this district. I do not think I need say anything further in opposing this motion, and I hope the hon'ble members will appreciate all that the Government are doing and the way in which the Road Board are functioning as at present constituted and will withdraw

this motion. As a matter of fact the Road Board adopted the other day a resolution by which they authorised the representatives of different local bodies to appear and place their schemes before the Road Board when necessary so that there might be no chance of the interests of any district board or municipality going unrepresented. The members of the Road Board do not take purely parochial view of things. Once appointed on the Board they are expected to look to the interests of the whole province, and I dare say that they do so as a matter of fact. With these words I oppose the motion.

The motion of Khan Bahadur Maulvi Azizul Haque was then, by leave of the Council, withdrawn.

MUNINDRA DEB RAI MAHASAI: Sir, I beg to move that the demand of Rs. 15,87,000 under the head "41A.—Civil Works (Transferred)—Communications" be reduced by Re. 1.

Sir, the object of this motion is to draw the attention of the Government to the necessity of the construction of roads in thanas Khanakul and Arambagh, in the Arambagh subdivision and the improvement of the Hooghly-Kalna road. The people of the Arambagh subdivision of my district suffer most from want of communication not only with the district headquarters but also with Calcutta. Sometime ago the Bengal-Nagpur Railway made a scheme to extend its railway line to Arambagh but it did not materialise. During the Moghul days a Badshahi road ran through it leading to Orissa; it was utilised by the great Moghul General Man Singh when he marched with his army to Orissa. But through sheer negligence of the authorities, the road has been abandoned and has practically ceased to exist. Arambagh subdivision is now an isolated place without any facilities of communication. I should like to ask the authorities to do something in the way of affording facilities of communication to this area.

The next point to which I want to draw the attention of Government is the necessity of constructing a new bridge over the Saraswati at Tribeni on the Hooghly-Kalna road suited to modern vehicular traffic in place of the dilapidated suspension bridge constructed over a century ago by the Public Works Department and improving the Hooghly-Kalna road. It is now in a most neglected condition and has become unsuitable for the present day motor traffic. It is an inter-district road and should be provincialised.

With these few words, I commend my motion to the acceptance of the House.

Mr. E. W. GURNER: As this is a question which concerns the Local Self-Government Department more than the Public Works Department that I have been asked to reply to this motion. It will

not be out of place to mention that it is the last of the attacks from the member of the opposite side at the end of the budget discussion. I have every sympathy with what Rai Mahasai said, but as a matter of fact he sent a representation on the subject to the Collector———

(Here the time-limit under the heads "41 and 60.—Civil Works" having been reached the member resumed his seat.)

The motion of Munindra Deb Rai Mahasai was then, by leave of the Council, withdrawn.

The motion that a sum of Rs. 94,57,000 be granted for expenditure under the heads "41.—Civil Works" and "60.—Civil Works not charged to Revenue" was then put and agreed to.

The following motions under the heads "41 and 60.—Civil Works" were not called owing to the expiry of the time-limit:—

MUNINDRA DEB RAI MAHASAI: "That the demand of Rs. 40,00,000 under the head '41A.—Civil Works (Transferred)—Repairs' be reduced by Re. 1 (to draw attention to the deplorable condition of the Saraswati Bridge at Tribeni)."

Babu KISHORI MOHAN CHAUDHURI: "That the demand of Rs. 85,28,000 under the head '41.—Civil Works' be reduced by Rs. 30,00,000."

Khan Sahib Maulvi BAZLUL HUQ: "That the demand of Rs. 85,28,000 under the head '41.—Civil Works' be reduced by Re. 1 (to show that the number of Moslems in the department is almost nil)."

Maulvi MUHAMMAD FAZLULLAH: "That the demand of Rs. 85,28,000 under the head '41.—Civil Works' be reduced by Re. 1 (to protest against the policy of not recruiting Moslems in ministerial service under the Public Works Department after 33 per cent. of the total appointments is held by Moslems)."

Khan Sahib Maulvi BAZLUL HUQ: "That the demand of Rs. 85,28,000 under the head '41.—Civil Works' be reduced by Re. 1 (to discuss the recruitment of Engineers trained locally and in Great Britain and the salary to be paid in each case)."

Maulvi MUHAMMAD FAZLULLAH: "That the demand of Rs. 85,28,000 under the head '41.—Civil Works' be reduced by Re. 1 (to protest against the unsatisfactory way of training apprentices in the electric workshop situated in the Writers' Buildings)."

Maulvi NUR RAHMAN KHAN EUSUFJI: "That the demand of Rs. 2,07,000 under the head '60.—Civil Works—Buildings' be reduced by Rs. 100 (to criticise the lavish expenditure incurred for furniture, etc., of the new Council House)."

The time-limit for all the demands for grants having been reached the remaining demands for grants were put to vote without discussion as follows:—

43.—Famine Relief.

The following motion standing in the name of the Hon'ble Mr. A. Marr was then put and agreed to:—

"That a sum of Rs. 50,000 be granted for expenditure under the head '43.—Famine Relief'."

The following motions under the head "43.—Famine Relief" were not called owing to the expiry of the time-limit:—

Maulvi MUHAMMAD FAZLULLAH: "That the demand of Rs. 50,000 under the head '43.—Famine Relief' be reduced by Re. 1 (to criticise the policy of Government for inadequate provision for the present distress all over Bengal)."

MUNINDRA DEB RAI MAHASAI: "That the demand of Rs. 50,000 under the head '43.—Famine Relief' be reduced by Re. 1 (to draw attention to the necessity of an early revision of the Famine Code)."

45.—Superannuation, allowances and pensions and 45A.—Commutation of pensions financed from ordinary revenue.

The following motion standing in the name of the Hon'ble Mr. A. Marr was then put and agreed to:—

"That a sum of Rs. 49,81,000 be granted for expenditure under the heads '45.—Superannuation allowances and pensions' and '45A.—Commutation of pensions financed from ordinary revenue'."

The following motions were not called owing to the expiry of the time-limit:—

Maulvi SYED JALALUDDIN HASHEMY: "That the demand of Rs. 43,81,000 under the head '45.—Superannuation allowances and pensions' be reduced by Rs. 100 (policy)."

MUNINDRA DEB RAI MAHASAI: "That the demand of Rs. 6,00,000 under the head '45A.—Commutation of pension financed from ordinary revenue' be reduced by Re. 1 (to draw attention to the unusual delay in the payment of the commuted values of pensions)."

46.—Stationery and Printing.

The following motion standing in the name of the Hon'ble Mr. A. Marr was then put and agreed to:—

"That a sum of Rs. 22,12,000 be granted for expenditure under the head '46.—Stationery and Printing.'"

The following motions under the head "46.—Stationery and Printing" were not called owing to the expiry of the time-limit:—

MUNINDRA DEB RAI MAHASAI: "That the demand of Rs. 7,46,500 under the head '46A.—Government Presses—Bengal Government Press' be reduced by Rs. 5 (to criticise the want of any definite policy in regulating the price of Government reports and publications and to urge that they should be available to the public at cheap prices)."

Mr. K. C. RAY CHAUDHURI: "That the demand of Rs. 7,46,500 under the head '46A.—Government Presses—Bengal Government Press' be reduced by Re. 1 (to discuss the policy of fining the employees of the said press and crediting the amount to general revenue head)."

Mr. K. C. RAY CHAUDHURI: "That the demand of Rs. 7,46,500 under the head '46A.—Government Presses—Bengal Government Press' be reduced by Re. 1 (to draw attention to the fact that numerous contracts of printing and binding works of the Government or of the bodies under the control of the Government are given to outside private firms)."

Mr. SYAMAPROSAD MOOKERJEE: "That the demand of Rs. 3,30,000 under the head '46A.—Stationery and Printing—Press and Forms Department' be reduced by Re. 1 (grievances of the employees of the said press)."

Mr. K. C. RAY CHAUDHURI: "That the demand of Rs. 3,30,000 under the head '46A.—Government Presses—Press and Forms Department' be reduced by Re. 1 (to discuss the grievances of the employees of the said department)."

Maulvi SYED JALALUDDIN HASHEMY: "That the demand of Rs. 22,12,000 under the head '46.—Stationery and Printing' be reduced by Rs. 100 (general policy)."

Maulvi SYED JALALUDDIN HASHEMY: "That the demand of Rs. 22,12,000 under the head '46.—Stationery and Printing' be reduced by Rs. 100 (to criticise Government for printing and publishing hand-bills without the names of printers and publishers)."

47.—Miscellaneous.

The following motion standing in the name of the Hon'ble Mr. A. Marr was then put and agreed to:—

"That a sum of Rs. 8,17,000 be granted for expenditure under the head '47.—Miscellaneous'."

The following motions under the head "47.—Miscellaneous" were not called owing to the expiry of the time-limit:—

MUNINDRA DEB RAI MAHASAI: "That the demand of Rs. 9,000 under the head '47B.—Charges on account of European vagrants, etc.' be reduced by Re. 1 (to raise a discussion on the policy of Government towards the vagrancy problem)."

Mr. NARENDRA KUMAR BASU: "That the demand of Rs. 5,98,500 under the head '47.—Miscellaneous—Miscellaneous and unforeseen charges' be reduced by Rs. 3,00,000."

Loans and Advances.

The following motion standing in the name of the Hon'ble Mr. A. Marr was then put and agreed to:—

"That a sum of Rs. 9,99,000 be granted for expenditure under the head 'Loans and Advances'."

The following motions under the head "Loans and Advances" were not called owing to the expiry of the time-limit:—

Maulvi ABDUL HAKIM: "That the demand of Rs. 6,05,000 under the head 'Loans and Advances—Loans under the Land Improvement and Agriculturists' Loans Act and loans to co-operative societies' be reduced by Rs. 100 (inadequate loans to the agriculturists and to co-operative credit societies)."

Maulvi TAMIZUDDIN KHAN: "That the demand of Rs. 9,99,000 under the head 'Loans and Advances' be reduced by Rs. 1,000 (inadequate provision)."

Maulvi HASSAN ALI: "That the demand of Rs. 9,99,000 under the head 'Loans and Advances' be reduced by Rs. 100 (necessity of stopping realisation of agricultural loans advanced to the Balurghat subdivision people in view of the prevailing economic distress)."

MUNINDRA DEB RAI MAHASAI: "That the demand of Rs. 9,99,000 under the head 'Loans and Advances' be reduced by Re. 1 (to raise a discussion about the policy of loans and advances of the Government)."

Expenditure in England.

The following motion standing in the name of the Hon'ble Mr. A. Marr was then put and agreed to:—

"That a sum of Rs. 7,05,000 be granted for expenditure under the head 'Expenditure in England'."

Supplementary Demand for grant.

47.—Miscellaneous.

The Hon'ble Mr. A. MARR: Sir, on the recommendation of His Excellency the Governor I beg to move that a sum of Rs. 23,100 be granted for expenditure under the head "47.—Miscellaneous—Miscellaneous and Unforeseen Charges," to cover the expenditure in excess of the voted grants under "47.—Miscellaneous" on account of establishment, etc., at the Detention Camps at Buxa and Hijli and other charges relating to persons dealt with under the Bengal Criminal Law Amendment Ordinance, 1930, and the Bengal Criminal Law Amendment Act, 1930.

Sir, this demand has been explained in the printed memorandum, copies of which have been issued to the members of this House. It is really a matter of accounting. The expenditure was at first shown under the head "Jails," but it was decided that this expenditure should fall under the head "47.—Miscellaneous" and not under the head "25.—Jails." Therefore the result is a saving under the latter head and an excess expenditure under the head "47.—Miscellaneous," for which excess the vote of the Council is now asked.

Maulvi HASSAN ALI: I beg to move that the demand of Rs. 23,100 under the head "47.—Miscellaneous" be reduced by Rs. 100 (in order to urge upon the Government the necessity of releasing the detenus in view of the fact that the cause of the Gandhi-Irwin agreement will thereby be furthered).

Sir, the object of my motion I have already indicated. I do not hold any brief for the detenus, nor can I have any sympathy for any alleged actions and method of these unfortunate young men for which

they are charged generally by the Government. On the contrary, as being non-violent in political creed, I deprecate and denounce their actions, if there are such. And I believe, Sir, that the nation as a whole is still strong in pinning its faith in non-violence.

But, Sir, I do plead for country's peace—peace honourable—lasting and abiding peace—peace, a calm, in which this life-taking confusion and turmoil will cease and the nation will be able to make its onward march towards the realisation of the higher and nobler destinies of humanity along with other nations of the world. I do not want a peace—which is life-taking—I do not want the peace of a dead man—the peace of death. The nation does not want that—cannot want that. It is the peace of life, the life-stirring and life-giving peace that is desired—that is wanted by the nation to-day. And no man, no Government, has any right to deny this peace to the people—because this is their birthright.

Sir, it is in this view of the thing, it is in this light that I appreciate and eulogise the memorable Delhi Pact, because the truce agreed thereby, in my opinion, has offered—has opened up real avenues for arriving at an abiding settlement between England and India. And I say, Sir, that the Government of Bengal have no right whatsoever to destroy this peace prospect by taking recourse to vague arguments based on so called political expediency and the limiting of the agreement.

It is for that reason, that I demand the immediate release of the detenus.

The Home Member would say that the detenus are outside the terms of the truce. May be so. But good sense prevailing on us we cannot fail to see that the spirit of the truce terms is not suspicion and mistrust, but goodwill and trust—goodwill and trust between the Government and the people—that will bring about cessation of hostilities, and animosities, that will create a calm, quite, atmosphere in which the nation and the Government will be able to achieve further and abiding results by way of honourable and permanent peace, and friendship between these two great countries of the world? But has the non-release of the detenus helped any way to ensure this desired peaceful and calm atmosphere? No, it has not. On the contrary any one who has eyes to see and ears to hear, must have realised how this thoughtless and callous attitude of the Government towards the question of release of detenus, reacted upon the mind of the whole people. During the last few days the meetings were held, demonstrations were made throughout the length and breadth of the country in various districts and feelings of anger and resentment were expressed over the non-release of the detenus; for the sake of peace immediate release of them were demanded and are being demanded still now. Sir, only the other day this Council passed the resolution of

Mr. J. N. Gupta. The Hon'ble Home Member perhaps has forgotten it, but I believe the House cannot forget it. I need not give you the whole text of the resolution here. The gist of it is this that this Council appreciates the Premier's declaration and policy outlined therein, but at the same time realises that there are obstacles in the path of attaining abiding results and therefore the Council requests the Government to remove those obstacles. But has not the case of non-release of detenus been a great obstacle standing in the way of pacification of public minds? You cannot shut your eyes to the fact that the non-release of these 500 young men has greatly stirred the minds and hearts of the country. It has thrown the people again into suspicion and distrust. In fact the whole matter of detention and detenus has been based on suspicion and distrust, just as the whole British Government has its foundation in suspicion and mistrust. I do not know, Sir, whether in our country there are organised terrorist movement or not. But of this much I am sure, that in a country where its men and women are out to achieve the fulfilment of their highest aspirations, *i.e.*, the freedom of their motherland, especially when non-violent means are adopted to achieve the end—a class of day dreamers—a class of visionaries are bound to spring up. This is true not only of India and Bengal alone, but this is true of all other countries of the world. Russia has got her visionaries like that; Germany also has; Turkey has got them; Japan and China have got their own such visionaries. Ireland has. And we see even England is not without such day dreamers.

And you suspect them. You distrust them not knowing that trust begets trust and suspicion begets suspicion. You also consider them as supplementary to the real national movement which is non-violent out and out.

And thus you promulgate Ordinances, and Criminal Amendment Ordinances and so on in the idea that thereby you would put them down. Thus during the last quarter of a century we have seen Rowlatt Act and many such extraordinary lawless laws have been enforced in the country in the teeth of the opposition of the people who regard these laws as the very negation of the law itself striking at the very root of the personal liberty of men. But have the Government been able to achieve the desired results by these measures? No. They have not. Instead of peace, instead of good, the Government have brought down upon this once happy and prosperous land of ours, unrest, confusion and the evils, and it is no wonder that the people generally think and feel—and I believe they are right in doing so—that many young innocent patriots of the land have fallen victims to the secret service police and have been detained on mere suspicion only. Perhaps the Hon'ble Mr. Prentice would say that not a single man has been detained without corroborated suspicion. But if so,

why do you not come forward openly and have these young men tried in open and ordinary courts of law? Suspicion is no proof. If you have got corroboration, why do you not please corroborate them in the open court of justice? You say you cannot do that for expediency.

But what is your expediency? I do not understand.

Sir, the Hon'ble Mr. Prentice told us the other day on this floor that the Government would not be niggardly in consideration of the cases of these detenus and when these perilous times were over they would perhaps release them all. But he perhaps forgets that the detention itself any longer is a huge peril in itself. Any one who has cared to gauge the public feeling in the country in this respect will assert with me that if you do not release these desperate youths of the country immediately you will bring perils thousand times greater in number and volume than the present perils which you will not be able to cope with, with any advantage to the cause of peace of the land.

I, therefore, say that to ensure peace in the country release immediately the detenus, take them into your confidence. If you really mean to part with power in favour of the people, if you are sincere in your purpose and professions, you cannot detain them for even a day longer. You must show respect to public opinion. You must not forget that the public minds view these young men as patriots having the fire of love for the motherland the same fire which burns in the heart of every son and daughter of India. Do not therefore flout the public opinion.

With these few words I take the opportunity to move my motion and demand the immediate release of the detenus and I like to warn the Government not to commit any blunder again as they have done by executing Bhagat Singh and his comrades. I believe the release of detenus presents a golden opportunity to the Government for redemption of that past blunder.

Mr. PRESIDENT: A little while ago, Mr. Gurner said that to him belonged the honour of meeting the parting shot of the redoubtable Rai Mahasai, but the House will see that the honour will really go to the Hon'ble Mr. Prentice. The Rai Mahasai has one more motion to his credit! (Laughter.)

5-15 p.m.

MUNINDRA DEB RAI MAHASAI: I beg to move that the demand of Rs. 23,100 under the head "47.—Miscellaneous" be reduced by Rs. 100 (to raise a discussion on the urgency of the abolition of the system of detention without trial).

Mr. President, Sir, we think that the continuance of the Bengal Criminal Law Amendment Act at the present stage is without any justification. It is an abuse of the powers that are vested in the bureaucracy in the present system of government. The continuance of such a measure shows the failure of the British policy in India and the bankruptcy of British statesmanship in dealing with the political situation of the country. It is a negation of the rule of law which is the most prominent feature of modern British constitution. It strikes at the root of the liberty of the subject. It violates the elementary principle that the accused should be given sufficient opportunity to clear himself of the charges brought against him. We wholly disapprove of summary methods of trial by special tribunals—the Star Chamber methods of administering the law. I should urge its repeal at the earliest opportunity. Although the release of the prisoners under this Act is not embodied in the Gandhi-Irwin agreement, it would have been a gracious act, had they been released, which would have created a better and healthier atmosphere of peace, and goodwill all over the land. Sir, in this connection I would be failing in my duty if I do not bring to the notice of Government the alleged inhuman tortures practised on some prisoners specially in Dullanda House—one of the most abominable houses of detention in Bengal. I am told by a gentleman whom I have no reason to disbelieve that those detained there, were compelled to stand in the open stark naked in the winter nights when icy cold water was poured over them and they were left to shiver there. I am further informed that owing to inhuman tortures some of the prisoners contracted incurable diseases. It is alleged that the blow of one European police named Hodson caused Himangsu Kumar Bose, Teacher, Corporation School, to spit blood which gradually developed into phthisis. Romes Acharya's lower half of body got paralysed————

The Hon'ble Mr. W. D. R. PRENTICE: Is the gentleman sure that Romesh Acharya was confined in the Dullanda House? I challenge this statement, Sir.

MUNINDRA DEB RAI MAHASAI: I am not sure, I have no personal knowledge of it but that is my information. If he was not there, I stand corrected. Sushil Ghose contracted phthisis, Jites Lahiri got slow fever, Professor Jotish Ghose turned insane. Nikhil Guha and Nagendra Sekhar Chakravarti got some such other troubles which I do not exactly remember now.

The Hon'ble Mr. W. D. R. PRENTICE: I again challenge his statement with regard to Professor Jotish Ghose. Is the speaker sure that the professor was confined in the Dullanda House?

MUNINDRA DEB RAI MAHASAI: I cannot vouch for the whereabouts of the professor but that is my information.

The Hon'ble Mr. W. D. R. PRENTICE: Sir, is the hon'ble member in order in making a statement for the accuracy of which he cannot vouch?

Mr. PRESIDENT: Certainly not. You should not refer to things for the accuracy of which you cannot vouch.

MUNINDRA DEB RAI MAHASAI: I must repeat, Sir, that I cannot vouch for their whereabouts but I believe some of the allegations are true. If a fraction of what I have said is true, it would be a disgrace to any civilised Government in the world.

With these few words, I commend my motion to the acceptance of the House.

Mr. P. BANERJI: I beg to move that the sum of Rs. 23,100 under the head "47.—Miscellaneous" be reduced by Re. 1 (to raise a discussion about the necessity of continuance of the detention camps).

Sir, I see no necessity for the continuance of the detention camps either at Buxa or at Hijli, for which the Hon'ble Mr. Marr has come forward for a grant of Rs. 23,100. Although the sum is a very small one yet in consideration of the crores of rupees that are spent or misspent on the administration of the country for maintaining law and order I say that during the last few months the whole country has been administered not by law and order but by lawlessness and disorder. If you go to the different villages of Midnapore—I have myself travelled over 500 miles there—you will see scenes of whole hamlets———

The Hon'ble Mr. W. D. R. PRENTICE: On a point of order, Sir. The speaker says that he has travelled 500 miles in Midnapore but so far as I am aware there is not a single detenu from Midnapore.

Mr. PRESIDENT: What is your reply with regard to the objection raised by Mr. Prentice? Are you going to give up your point in view of that?

Mr. P. BANERJI: I do not follow you, Sir.

Mr. PRESIDENT: The point is whether there is or not any detenu from Midnapore. Are you going to dispute Mr. Prentice's statement or yield to him?

Mr. P. BANERJI: I was just narrating some of the incidents in Midnapore from where some detenus were kept at Hijli. The Hon'ble Mr. Prentice has said that not a single detenu is kept in Midnapore———

Mr. NARENDRA KUMAR BASU: Mr. Prentice said that there was not a single detenu from Midnapore.

Mr. P. BANERJI: I stand corrected. It may be so but there are about 400 detenus detained in the different jails in these two places, one at Midnapore (Hijli) and the other at Buxa. I beg to submit that these persons—about 400 young men—are detained in the different parts of Bengal in detention camps; but, Sir, what is the object with which these persons are detained? It is said that if these young men are released they will become a terror to the country. But I say, Sir, that they can hardly prove to be a terror to the British Government in India with all their resources. Therefore, Sir, it is in the fitness of things and specially when it is necessary that there should be a calm atmosphere in India that I submit that these young men should be immediately set free. It is said that their release will be followed by violence, but may I inquire, Sir, what sort of violence? On the contrary I am sure that instead of committing violence, if these persons are released, they would be converted into non-violence by the influence of Mahatma Gandhi, but that has not been done and the atmosphere for peace that we were longing for has not been brought about. It seems to me that Government are deliberately trying to keep these young men in jail and are thereby working antagonistically to the agreement, I mean the truce that has been arrived at between Mahatma Gandhi and Lord Irwin. Sir, I think everybody will agree with me when I say that there is no more any necessity to detain these men in prison. Sir, the members in the Treasury Benches believe in violence, I take it that they, as honest men, also believe that a foreign nation has no moral right to govern another nation against the interests of the children of the soil. What is the crime of these 400 young men? They also think and feel that a foreign nation has no moral right to rule over another nation against the interests of the sons of the soil and if in some cases there have been attempts to stop such governance by violences what is their fault? The question of satisfying the aspirations of the people of the country is a very old question if Government really wanted, that there should be no violence in the country, they should have satisfied the aspirations of the people before a single shot was fired at an Englishman by an Indian in this country and this may have led to stray cases of violence; such a feeling started about 25 years ago, in the days of the Partition of Bengal. Government instead of satisfying the aspirations of the people have checked them, with the result that they have run the country by organised courses of violence and by police excesses witnessed during the last nine months. So that if these young men have taken to violent methods here and there they have only taken the cue from the British nation and it is not their fault.

With these words I submit that these detenus should be immediately set free.

Mr. B. C. CHATTERJEE: The Hon'ble Mr. Prentice has reminded us that these detenus are kept in various places of Bengal under an Act of the Bengal Council, not under an Ordinance, but under an Act. But it is an Act of which we washed our hands on the day it was brought before us for our approval. I challenge any Indian who dares to call himself an Indian to vote for this grant. Could the Hon'ble Mr. Prentice as a Minister in England, could any English Minister in England, or, for the matter of that, even the Prime Minister of England pass an Ordinance like the Bengal Ordinance? He could not do that unless England went to war when the conditions of the country would be entirely abnormal. England does not know of any legislation like the present legislation. Here, in India, we are kept being reminded *ad nauseam* that we are ruled by the police, and that our people may be kept in police custody, under cover of darkness, under conditions of which we know nothing. I appeal to the non-official English members who are here: How do they justify this sort of thing in this country, when in their own country they would rise as one man and protest if such legislation were passed there? And I say that this is the sort of thing which brings home to us the utter helplessness of us, Indians. This is the sort of thing that makes us feel that the Britishers do not treat us as human beings, that they want to make us feel that we are less than the mere men God made us, as I said on a previous occasion. It is really an irony of fate; it is an irony that the Hon'ble Member should ask us Indians for money in order to keep these countrymen of ours in detention, against whom nothing has been proved except that they have incurred the displeasure of the Criminal Investigation Department or the Intelligence Branch. Why do you Englishmen in this country so readily stand up and justify such legislation, which is anti-British in character, and which would not be tolerated by you in your own country? What is the point of offering us freedom and a place in the British Empire—an offer for which we are grateful—if you, non-official Englishmen, get up and forget your traditions and say that you will back up the Government in their attempt to keep these men in the various detention camps although you do not know anything about the merits of the case? It is the one thing, this Act which empowers the Government to detain men without trial that really cuts into all the fine phrases which from time to time are being offered us in fulfilment of the various promises made to us, that we are the children of the same Empire, and that we are partners in the great British Commonwealth of Nations and so on. Can you show me any part of the British Commonwealth where this can be done? You could not do this anywhere else; you can do this

only in India. You ask us to co-operate with you whilst you keep us in this absurdly and unbearably slavish position!

5-30 p.m.

As long as you keep up these detention camps, as long as you keep up this horrible difference that has really been going on for two centuries, the difference that you maintain between Europe and Asia, between white men and non-white men, you cannot expect us to support you in a demand of this nature. You do not have the same respect for the men who are not white. Wherever the population of the empire is white, you dare not pass a legislation of this kind; but because we have not our skin bleached, because we belong to Asia you here enact this kind of legislation. Remember Asia has produced the Lord Buddha, the Lord Sri Krishna, the Lord Jesus Christ, and the Lord Muhammad,—but for whose birth there would have been no civilization, no history, and none of your Christianity. Because we belong to Asia and do not participate in the whiteness of Europe, you are out to treat us as if we had no claim to freedom. Coming to the question of whether the detenus are tortured, I have seen the condition of the people after their return from the detention camps, and I know from the evidence of these people that these sons of Bengal who were detained at the various centres were tortured. I have had this evidence ever since 1907, and I would believe these people in preference to police testimony at any time. What is the crime of these people? Their crime is that they love their country too well, too tempestuously, and are willing to go great lengths for the sake of that love, but not too wisely like men of my stamp. But pray, who has planted this love of the motherland into this country? It is the British. It is the British who have brought this conception of patriotism into this country. I feel shocked to see that the British trample under foot those very conceptions which they themselves have planted into India. It would be most curious sight to see the non-official Europeans go into the lobby with the Government members. I would ask them to go into the past history of their race and their individual families, and would further ask them how would they feel if a thing like this had happened in England. Well, if they want to make friends with us, and if they have the real Christian courage, let them say to Mr. Prentice that they will not support him. I ask all my countrymen, everyone who has any self-respect, who dares to call himself an Indian, who aspires after freedom, to come with us into the opposition lobby and vote against this grant.

Mr. SHANTI SHEKHARESWAR RAY: Sir, this is the last day of the session and in a few minutes we shall part. In a few days' time

the Hon'ble Member in charge of the Jails Department will be on the hills at Darjeeling far away from us, far away from the control of the Legislative Council. So, Sir, I take this opportunity to make another appeal while he is still amongst us to act in the spirit of the great settlement that has been arrived at between Mahatma Gandhi and His Excellency the Viceroy, Lord Irwin. I do not know how far our appeal to release the detenus will be successful, because even the local Government has failed as yet to act according to the spirit of the agreement so far as the release of the political prisoners are concerned. The other day I received a letter from the District Congress Committee of Malda, my constituency, stating that even at present there are about 14 prisoners connected with the civil disobedience movement, who are still in jail and have not been released. I refer to the case of Chaturbhuj Das and others. I have forwarded the letter of the assistant secretary who has been released from the Dum-Dum Jail for the consideration of the Hon'ble Member. We, the members here, do not expect the courtesy of a reply from the Hon'ble Member, but a sense of duty makes me refer to the matter here as I have as yet received no reply from him. So far as the persons detained without trial are concerned, there can be no justification to further detain these persons in jail. How can there be any honest and frank expression of opinion in the country when every one is under the fear of being spirited away to an unknown place if one falls under the suspicion of the authorities? It is a sore point with the people of Bengal and so long as this policy continues, I am afraid there can be no real peace in this land. Perhaps the Government hopes to isolate Bengal, but I have not the slightest hesitation to declare that the spirit of Bengal will not be broken. If the Government expected that Bengal will be felicitated in this matter, they are sadly disappointed. I read only this morning in the newspapers that the Indian National Congress on the very first day passed a resolution put from the Chair demanding the immediate release of all political prisoners including the detenus of Bengal. So in this demand Bengal is not alone, but the whole of India has joined with her under the authority of the Indian National Congress. I respectfully ask the Government of Bengal to reconsider its policy in this connection. What has been the experience in the past? When a large number of detenus were released after the war, was there any recrudescence of violent political crime? How many of these persons were known to have participated in seditious acts after their release? If the policy of the Government has been fruitful in the past, why is it not likely to be so in future?

Mr. NARENDRA KUMAR BASU: Sir, in rising to speak on the motion, I shall not repeat the arguments that I advanced to the House when I opposed the introduction as well as the passing of the Bengal

Criminal Law Amendment Act. I know that this Act was passed by a majority of this Council. But there is one aspect of the matter which is absolutely unknown if not to all but to at least the majority of the non-official members of this House. Members of this Council who take an interest in these things are aware that in the Punjab when there was a special tribunal for trying the three men who have just been executed, these men refused to be present at the trial. It was found that the Criminal Procedure Code made no provision for the continuance of the trial under those circumstances. Thereupon His Excellency the Governor-General made an Ordinance so that this so-called trial might proceed in the absence of these persons; but what happened in Bengal? Under the Bengal Act power has been given to the Bengal Government to make rules to carry out the provisions of the Act. Acting under the guise of that power given by the Act the Bengal Government has made rules incorporating this Ordinance of the Governor-General, that is to say a thing which is absolutely illegal in other parts of India and was made legal for the purposes of the Punjab trial by the Ordinance of the Governor-General has been brought in here by a back door by the Government of Bengal under the supposed provisions of the Bengal Act. The legality of those rules has not yet been tested by the courts, but I am quite sure, speaking as a humble student of law, that the executive Government cannot possibly have any power to change the law under its power of rule-making. That is the way in which the Bengal Criminal Law Amendment Act passed by this House last year is being administered. I will not say anything about the lawless character of that Act, as it will be a reflection on ourselves, but I do say that because that Act has been passed by this Council, it does not mean that Government and its executive officers are simply bound to act under that Act. I should have thought that the discretion of the executive Government would be exercised in a manner as not to hurt the sense of justice of the people who are bred in the law and believe in law. Sir, you might have seen that in the budget which has just been accepted by the Council there is a demand of Rs. 6,03,000 under the head "Miscellaneous and Unforeseen Charges" and it was explained in the budget that it was required for detenus. So far as the political prisoners are concerned, the Hon'ble Member in charge of the Jails Department has reduced the demand by Rs. 5 lakhs, but not five *kouries* of that have found their way to the transferred departments. The Hon'ble Member in charge of the Political Department asks for this huge grant of Rs. 6,16,000 for the next year and for the current year he wants an additional sum of Rs. 1,03,350. I submit that this demand by itself shows that there has been no change of heart of the Bengal Government and though the superior authorities in India and in England may be crying hoarse for a peaceful settlement of the trouble in the country, the Government of Bengal is going on merrily detaining people without trial.

5-45 p.m.

Sir, speaking as a lawyer, I do not know that I can sufficiently express my abhorrence and horror for the dark and devious ways of the Government in administering the Ordinance and more especially in making a set of rules that are not within the powers of the executive. I thoroughly associate myself with the previous speakers in what they have said.

Dr. NARESH CHANDRA SEN GUPTA: I suppose that during this session I must have made myself as great a nuisance to the Hon'ble Mr. Prentice as Mr. Gurner has the case of my friend the Rai Mahasai to be, and I do not want to wind up the session with a big fighting speech against him, but I would just point out one or two matters of cold reasoning for the calm consideration of the House. I do not want to go into the policy of the Criminal Law Amendment Act. I do not want to go into the question of the existence or otherwise of revolutionary conspiracies. I would, for the sake of argument, assume that these persons have been engaged in some sort of conspiracy. Upon that assumption and having regard to the changed situation of the country, I shall submit that good policy and sound policy demand that these persons should now be released. I am referring of course to the peaceful situation brought about in the country by the agreement between Mahatma Gandhi and Lord Irwin, which agreement has been practically ratified by this time by the Congress, so that peace is ensured for the next few months at any rate. At a time like this it is up to Government not to keep alive any source of irritation. This detention of the persons without any trial and without any evidence being put forward against them breeds a sense of irritation. It is a question of fact. It is a question of policy. This source of irritation should not be retained in the present circumstances if it can be helped and I take it there can be no question that it can be helped. Assuming, Sir, that these persons are revolutionaries, that they do believe in revolutionary and violent methods for upsetting the Government; nevertheless I say that in the present atmosphere of the country there is not the slightest chance of their making any attempt for starting any revolutionary activity whatsoever. Because the evidence of history shows everywhere that the revolutionary conspiracy can only thrive at a time of general discontent. Keep that atmosphere of bitterness and the revolutionary conspiracy will spring up, but when there is an atmosphere of peace and there is no discontent, the revolutionary will find his occupation gone and he cannot make any headway. That has been proved over and over again in the history all over the world and it has been proved in Bengal as well. If this is so, and if the settlement between Mahatma Gandhi and Lord Irwin has brought about an atmosphere in which the people hope for the best

and look forward to the future with a hope for peace and good-will, do you expect that this handful of revolutionaries would be able to make any demonstration against Government? I do not think there is the least apprehension of such things happening. If, as a matter of fact, these revolutionaries are too dangerous to be let loose and too dangerous to be kept under check by the ordinary process of the police and ordinary process of the law, the present is not the moment that they should be kept in detention any more without trial. The detention of these persons without trial has been justified on the ground that in the present condition of the country these people cannot be brought to trial without creating much trouble. Well, Sir, under the changed conditions of the society, when there is peace abroad and the people are willing to hope for the best and give every chance to the coming settlement, if these people are so dangerous, if Government have in their possession evidence which will satisfactorily prove their guilt, then I ask why not try them under the ordinary law? The present is not the time when it can be said that these men cannot be brought to open trial. That being so, there is no reason whatsoever why these persons should be further detained without trial. Until Government makes up their mind either to bring them to trial or set them free, it would be idle for Government to expect the people to believe that these persons were engaged in revolutionary activities. It is no doubt true that there are persons who are connected with these activities, but it is quite a different proposition to say that each one of these persons has been engaged in revolutionary activities. You expect the people not to believe the stories of oppressions to which the prisoners have been put to in jail, because you say there is no evidence forthcoming to that effect. So I say that Mr. Prentice cannot make the people believe the stories about the connection of these people with revolutionary activities, as you do not put forward any evidence to that effect. Just as those oppressions cannot be proved, the alleged activities of these Ordinance prisoners cannot also be proved. Until the offence of these persons has been proved to the satisfaction of the people, they must decline to accept this view. Having regard to these circumstances, I hope and trust that the Government will take courage in both hands and release these men, for the sake of peace, for the sake of bringing about an atmosphere in which the generous promises of the future may be permitted to be fulfilled.

Mr. C. C. COOPER: Sir, I had not thought of taking part in this debate to-day, but unfortunately after listening to the speeches during the last half an hour I am constrained to say that I have not heard anything more calculated to disturb the atmosphere of peace which Lord Irwin has worked so hard and so well to bring about in the country. It is noticeable that the same speakers repeated what they have said

so many times during this session. They continued to speak on the same old subject in the same old way and I am surprised that they could go on speaking on a subject which is worn threadbare. They know as well as I do, they know as well as every person in this House knows, that this Ordinance was the result of *force majeure*. It is not directed, as they would have us believe, against the Bengalee. It is directed against every man in Bengal, whatever his creed, colour or race may be. If that man, whatever his creed, colour or race may be, preaches sedition and acts against His Majesty the King-Emperor, then that man must take the consequences. If I acted as these people have done, I would not have any objection whatever to allow the law to take its course. I was particularly sorry to hear the speech of Mr. B. C. Chatterjee. It is regrettable that he as leader of a responsible party should voice such sentiments which are deliberately calculated to raise racial feelings, and that he should deliberately try to upset the peaceful atmosphere which everybody is trying so hard to maintain. I can only express my sincere regret for his action.

Maulvi ABDUS SAMAD: Sir, assuming, for the sake of argument, that these detenus are connected with political crimes, may I ask the Hon'ble Member—who is responsible for their association with such crimes? Sir, British administration is sought to be justified on the assumption that it is broadbased on the love and affection of the people. But, Sir, the civil disobedience movement and the political agitation have demolished that theory. Now, what is the reason that thousands of our young men court arrest and imprisonment? Do they do it merely for the fun of the thing? Certainly not. They must have a legitimate grievance against the British rule and that grievance is nothing else but the exploitation of the country. India is ruled not in the interest of the people but in the interest of the British capitalists. We are not forgetful of the advantages conferred on India by British rule, but that is no reason why they should be kept in perpetual bondage and ruled for the interest of foreigners. What India wants is that it shall be ruled in the same manner as a country is ruled by its own people and not by foreigners.

Mr. E. C. ORMOND: On a point of order, Sir. Is the hon'ble member right in speaking in this Council, which has been created by His Majesty the King, of British members as foreigners? (Laughter.) It may be a matter of words, but I would attach great importance to it and as long as India is a part of the Empire, I would object to any one belonging to the Empire being called a foreigner.

Mr. PRESIDENT: I do not think you can have any good reason to object to being called a foreigner in India, although it is a part of the Empire.

Maulvi ABDUS SAMAD: My advice to Europeans is that they should not try to rule India as foreigners and that if they cease to consider themselves as foreigners and consider themselves as part of the Indians, then all these troubles would disappear automatically and possibly there would be no necessity for detaining these persons without trial.

6 p.m.

The Hon'ble Mr. W. D. R. PRENTICE: I have listened with considerable regret to a large part of this debate because several of the speeches that have been made seem to me to have the effect of disturbing the atmosphere in which this Council has carried on the discussion of the budget. I regret especially Mr. B. C. Chatterjee's speech. Most of it was special pleading of the worst type and throughout he was introducing matters which after all have nothing to do with the question under discussion. The question under discussion is a perfectly simple one—whether for the year which expires to-morrow you will give us a grant of Rs. 23,000, which we require solely because having transferred some of the detenus from jails to camps the expenditure on them in these camps falls under a different head in the budget. If we had not taken those steps in the interest of the detenus themselves, the matter would not have come before the House. All that we have done is to transfer some detenus from jail custody into places where they live in much greater comfort and where they get greater facilities for exercise. This is the simple matter before the House. On that foundation we have had an attack on the Act itself and we have had an attack on the way in which the Act has been carried out and we have been told that because we are doing our duty under the Act, we are doing our best to upset the peaceful atmosphere which Lord Irwin has attempted to introduce. But the Council cannot get away from the fact that the Act under which we have acted and are at present acting is one which the Council itself passed by a very large majority last August, having been satisfied that the good administration and peace and order of this province could not be maintained unless the Government were entrusted with these special powers.

I do not want to go into past history, but I would remind you that His Excellency the Governor in his speech a year ago said that he was going to trust the province and do away with the provisions regarding the detenus but would continue the sections dealing with Tribunals. But before the period of the original Act had expired, there were the occurrences at Chittagong which led to the issue of the Ordinance and after that there were several other occurrences as the result of which the Council was satisfied that there was need for these special measures and gave us those powers again. Since then we are only doing our duty and carrying on with the powers which the Council

give us. Some of the speakers have assured us of using these powers on racial grounds. This accusation is baseless. Since August there have been 53 outrages and in 50 of these, the victims were Indians and in only three were Europeans concerned—(1) the murder of Mr. Lowman at Dacca, (2) the attack at Writers' Buildings and (3) the attack on Sir Charles Tegart; all the others were cases in which Indians were concerned and the powers are being used by us to prevent Indians from being murdered, Indians from being dacoited and Indians from being intimidated. All these things are not racial matters at all. But it is the fact that it is mainly Indians who are protected by the Act and I hope there will be no more allegations that in passing and administering the Act we are animated by racial bias and animosity.

Well, we have been given these special powers and I will now tell the House how we have used those powers.

Up to the present, we have dealt with 506 cases. We have released one altogether, one, a lunatic, has been sent to the Kanke Lunatic Asylum, two have been convicted of specific offences, one is absconding and in two cases we have cancelled the order. That leaves 499 detenus. We refused to pass orders for detention in 68 cases. That leaves 431. Of these, 12 have been dealt with by orders under section 2 (*1*) (*a*), (*b*) and (*c*) which require them to notify their residences and report themselves to the police and to conduct themselves in such a manner as may be specified in the order. We have interned seven others in their homes and five in villages and one we have externed from Bengal. That leaves 406. Twenty of these cases we have now under consideration for home domicile or home internment and that leaves 386 that we have in our charge at present in camps or jails. Of these, 90 are at Hijli and 137 in Buxa; the small number at Hijli is due to the fact that the camp is of recent growth, but we hope in the near future to transfer all the detenus now in jails to the internment camp at Hijli.

Before we pass these orders, what happens? The case is prepared by an officer; it then goes up to a superior officer for examination and from him it goes to the Head of the Department, whether it is of the Special Branch or the Intelligence Branch, and only those cases which pass through all these hands and satisfy all the officers come to us. And when they come to us, they are carefully examined by a gazetted officer before they come to me and no one is interned unless I am personally perfectly satisfied that a *prima facie* case has been made out against the person and that he satisfies the conditions specified under section 2 of the Act. It is said that the evidence on which I finally come to my conclusion is not legal evidence. That is perfectly true and that is why the Council entrusted us with these special powers. One of the members said that no such powers were ever in use in the British Empire. I think he has forgotten "Dora" in England, and the Irish Free State, to which so many references have been made,

passed the Public Safety Emergency Powers Act in 1923, which gave the executive Government power to arrest men and take persons into custody and it was the Minister who was to certify in writing that he was well satisfied that there was a reasonable ground for putting such a person in jail for activities in connection with breaches of the law. These powers are almost analogous to the powers given us under the Bengal Criminal Law Amendment Act.

Mr. NARENDRA KUMAR BASU: They got the cue from you.

The Hon'ble Mr. W. D. R. PRENTICE: May be. In any case if they took our example they were satisfied that there were conditions in which it was absolutely necessary to entrust the Government with such special powers. Well, the Council when it passed the Act last August was satisfied that these unusual powers were necessary in the conditions that were in existence then. Since then there have been 53 outrages between August and the present time, including murder, dacoity, robbery, cases under the Explosives Act and the Arms Act, attacks on the lives of various officers and individuals, all the various kinds of occurrences as led the Council to give us these powers to deal with them. It is not open to the Council now to say that all these are imaginary cases because several of them have been tried by Special Tribunals, and the Tribunals have found those who have been brought before them guilty of the crimes with which they have been charged. In some cases which resulted in conviction there have been appeals and in all the cases which have been decided the convictions have been upheld by the High Court. In some cases the appeal is pending. I submit that the cases that have already come before the courts prove conclusively the continuance of the terrorist movement, of the existence of which the Council was satisfied before they gave us these powers last August.

I may, in passing, refer to the point raised by Mr. Narendra Kumar Basu that we are not using our powers properly in making rules under the Bengal Criminal Law Amendment Act which are *ultra vires*. The point raised by him was specifically considered and these rules were only issued after we had the very highest legal advice that the rules were *intra vires* and not *ultra vires*.

As regards Dr. Naresh Chandra Sen Gupta's plea that the conditions under which it was necessary to have these powers in the past no longer exist, I would only remind him that even before the passing of this Act it was not the case that all cases could be taken to court, for in many cases the evidence was such as could not be proved before a court. I know that it is claimed that because the evidence on which action is taken is not evidence which could be produced before a court or which would be admissible under the Evidence Act, therefore anything that has been done is entirely, to use his words, illegal or not legal. I submit

that everybody in this Council will admit that in his daily life he comes to decisions which are based on evidence that does not fall under the Evidence Act, and I do not see anything unreasonable in asking the Council to believe that when such an emergency has arisen as satisfies a legislative body like this Council that it is necessary to give unusual powers to the executive, then the executive which is entrusted with these powers does honestly endeavour to arrive at a satisfactory conclusion on the evidence at its disposal even if it is not always evidence within the meaning of the Evidence Act. And the decision of the executive, it must be remembered, is subject to the scrutiny of two Judges. This scrutiny is not by any means perfunctory. For the Judges to whom is entrusted this important duty do it very thoroughly and in any case where they consider that sufficient details have not been placed before them they have no hesitation whatever in calling upon the officer in charge of the case to produce evidence to satisfy them on the points on which they have doubts. This being the kind of scrutiny to which our decisions are subjected, I am glad to assure the House that the action of the executive Government has been in all cases found by these Judges to be reasonable and based on lawful and sufficient cause.

I would like to remind the Council too, that the whole system is one which has previously come under the closest scrutiny and been found to be eminently satisfactory.

You will remember that a committee called the Rowlatt Committee was appointed to examine and inquire into the question of sedition some years ago. That committee was presided over by a Judge of the High Court in England, and its members were the Chief Justice of the Bombay High Court, one Indian Judge of the Madras High Court, one Indian lawyer whom we all know, and only one executive officer from another province. This committee after the most careful scrutiny was absolutely satisfied that under the system then in force there was practically no chance of any mistake being made.

[At 6-15 p.m. the Council was adjourned for prayer and it reassembled at 6-30 p.m.]

The Hon'ble Mr. W. D. R. PRENTICE: When the Council rose I was explaining that the Rowlatt Committee consisting mainly of judicial officers examined the procedure which was in use at the time and were satisfied that there did not exist any serious chance of mistakes being made under the procedure. Later on, when the question of the procedure was again raised, a special committee consisting of Mr. Justice Beachcroft of the Calcutta High Court and Mr. Justice Chandravarkar of the Bombay High Court was appointed to investigate that procedure. They examined 811 cases and in 805 cases I think they were satisfied with the procedure and its results; in the other six they were not

dissatisfied with the procedure but they thought the persons concerned might be given the benefit of the doubt. Well it is the same procedure that is in use now and I think the Council need have no anxiety regarding the adequacy of the grounds on which we take action in any case.

I am afraid I must pass on very quickly to the point about the policy of the Government of Bengal in continuing to use the powers under that Act instead of releasing everybody and restoring peace. As I have said in one of my speeches early this session, the sooner we can release these detenus the more pleased we shall be. I can assure the House that we are keeping these people in detention simply to prevent crime, and we shall release them with pleasure as soon as the conditions in Bengal become better than they are at present. From what I have seen, from what has come to my knowledge, I see no sign that the settlement made between Lord Irwin and Mr. Gandhi has produced any effect on the terrorist movement. There is no indication whatever that the people who are responsible for the terrorist movement have decided to drop the policy they have launched upon in the past and have adopted the policy of non-violence. Indeed all the evidence so far goes the other way, because a few days after the agreement three bombs were thrown at Krishnagar. That is not an imaginary case, because one of the bomb-throwers got himself wounded and has made a statement to a magistrate admitting the crime. That was a crime which was committed within seven days, I think, of the Irwin-Gandhi agreement, and it indicates what change that agreement has produced in the terrorists' policy.

Sir, I know that these special powers and procedure are repugnant to many members of the Council. But I also know that this Council in August last acted with the courage of its convictions, in entrusting the executive with these special powers, and I would ask the Council now to have the same courage and convictions, and not like Mr. B. C. Chatterjee to wash their hands, but to take their share in the responsibility for the procedure, however unpleasant it may be, when they are satisfied that it is necessary in the interests of this province.

The motion of Maulvi Hassan Ali was then put and a division taken with the following result:—

AYES.

Ali, Maulvi Hassan.
Bakah, Maulvi Syed Majid.
Banerji, Mr. P.
Basu, Mr. Harendra Kumar.
Bose, Mr. S. M.
Chatterjee, Mr. B. C.
Chaudhuri, Babu Kishori Mohan.
Choudhury, Maulvi Abdul Ghani.
Dutt, Rai Bahadur Dr. Haridhan.
Fazlullah, Maulvi Muhammad.
Guha, Babu Prafulla Kumar.
Gupta, Mr. J. N.
Hakim, Maulvi Abdul.
Hoque, Kazi Emdadul.
Maiti, Mr. R.
Poddar, Seth Hanuman Prasad.
Rai Mahasai, Manindra Deb.
Ray, Mr. Shanti Shekhareswar.
Roy, Babu Satyendra Nath.
Sahana, Babu Satya Kinkar.
Samad, Maulvi Abdus.
Sen Gupta, Dr. Naresh Chandra.
Shah, Maulvi Abdul Hamid.

NOES.

Armstrong, Mr. W. L.
Bajlah, Maulvi Shaik Rahim.
Bal, Babu Lalit Kumar.
Bal, Mr. Sarat Chandra.
Blandy, Mr. E. N.
Burn, Mr. H. H.
Chaudhuri, Khan Bahadur Maulvi Alimuzzaman.
Chaudhuri, Khan Bahadur Maulvi Hafizur Rahman.
Chowdhury, Haji Badi Ahmed.
Clark, Mr. I. A.
Coppinger, Major-General W. V.
Cooper, Mr. C. G.
Dain, Mr. G. R.
Dash, Mr. A. J.
Easson, Mr. G. A.
Farequi, the Hon'ble Khan Bahadur K. G. M.
Fawcus, Mr. L. R.
Forrester, Mr. J. Campbell.
Gangali, Rai Bahadur Sueil Kumar.
Ghose, Rai Bahadur Sasenka Comar.
Ghuznavi, the Hon'ble Alhadj Sir Abdelkerim.
Gilchrist, Mr. R. N.
Goenka, Rai Bahadur Badridas.
Guha, Mr. P. N.
Gurner, Mr. C. W.
Haque, Khan Bahadur Maulvi Azizul.
Huq, Khan Sahib Maulvi Baziul.
Hussain, Maulvi Latafat.
Hutchings, Mr. R. H.
Kasem, Maulvi Abul.
Khan, Khan Sahib Maulvi Muazzam Ali.
Khan, Maulvi Tamizuddin.
Khan, Mr. Razaur Rahman.
Luke, Mr. N. R.
Marr, the Hon'ble Mr. A.
Miller, Mr. C. C.
Mitter, the Hon'ble Sir Prevash Chunder.
Mullick, Mr. Mukunda Behary.
Nag, Mr. K. C.
Nazimuddin, the Hon'ble Mr. Khwaja.
Norton, Mr. H. R.
Ormond, Mr. E. C.
Philpot, Mr. H. C. V.
Prentice, the Hon'ble Mr. W. D. R.
Rahman, Mr. A. F.
Rahman, Mr. A. F. M. Abdur-
Ray Chaudhuri, Mr. K. C.
Reid, Mr. R. N.
Reut, Babu Hesani.
Ray, Mr. Saileswar Singh.
Roy, the Hon'ble Mr. Bijoy Prasad Singh.
Saadatullah, Maulvi Muhammad.
Sarkar, Sir Jadunath.
Sarker, Rai Sahib Rabati Mohan.
Solaiman, Maulvi Muhammad.
Stapleton, Mr. H. E.
Suhrawardy, Mr. H. S.
Thompson, Mr. W. H.

The Ayes being 23 and the Noes 58, the motion was lost.

The motions of Munindra Deb Rai Mahasai and Mr. P. Banerji were then put and lost.

The motion of the Hon'ble Mr. A. Marr was then put and a division taken with the following result:—

AYES.

Armstrong, Mr. W. L.
Bal, Babu Lalit Kumar.
Bal, Mr. Sarat Chandra.
Blandy, Mr. E. N.
Burn, Mr. H. H.
Chaudhuri, Khan Bahadur Maulvi Alimuzzaman.
Chaudhuri, Khan Bahadur Maulvi Hafizur Rahman.
Chowdhury, Haji Badi Ahmed.
Clark, Mr. I. A.
Coppinger, Major-General W. V.
Cooper, Mr. C. G.
Dain, Mr. G. R.
Dash, Mr. A. J.
Easson, Mr. G. A.
Farequi, the Hon'ble Khan Bahadur K. G. M.
Fawcus, Mr. L. R.
Forrester, Mr. J. Campbell.
Gangali, Rai Bahadur Sueil Kumar.
Ghose, Rai Bahadur Sasenka Comar.
Ghuznavi, the Hon'ble Alhadj Sir Abdelkerim.
Gilchrist, Mr. R. N.
Goenka, Rai Bahadur Badridas.
Guha, Mr. P. N.
Gurner, Mr. C. W.
Haque, Khan Bahadur Maulvi Azizul.
Huq, Khan Sahib Maulvi Baziul.
Hussain, Maulvi Latafat.
Hutchings, Mr. R. H.
Khan, Khan Sahib Maulvi Muazzam Ali.
Khan, Maulvi Tamizuddin.
Khan, Mr. Razaur Rahman.
Luke, Mr. N. R.
Marr, the Hon'ble Mr. A.
Mitter, the Hon'ble Sir Prevash Chunder.
Mullick, Mr. Mukunda Behary.
Nag, Mr. K. C.

Nazimuddin, the Hon'ble Mr. Khwaja.
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Baksh, Maulvi Syed Majid.
Banerji, Mr. P.
Basu, Mr. Narendra Kumar.
Bose, Mr. S. M.
Chatterjee, Mr. B. C.
Chaudhuri, Babu Kishori Mohan.
Chowdhury, Maulvi Abdul Ghani.
Dutt, Rai Bahadur Dr. Haridhan.
Fazlullah, Maulvi Muhammad.
Guha, Babu Profulla Kumar.
Gupta, Mr. J. N.
Hakim, Maulvi Abdul.
Hoque, Kazi Emdadul.
Maiti, Mr. R.
Poddar, Seth Hunuman Prasad.
Rai Mahasai, Munindra Deb.
Ray, Mr. Shanti Shekhareswar.
Rout, Babu Hoseni.
Ray, Babu Satyendra Nath.
Sahana, Babu Satya Kinkar.
Samad, Maulvi Abdus.
Sen Gupta, Dr. Naresh Chandra.
Shah, Maulvi Abdul Hamid.

The Ayes being 54 and the Noes 24, the motion was carried.

Prorogation.

Mr. PRESIDENT: I have it in command from His Excellency the Governor to announce that the Council stands prorogued.

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